

Exhibit 6

Charu Desai v. University of Massachusetts Memorial Medical Center, Inc. et al.

Civil Action No. 4:19-cv-10520-DHH

University of Massachusetts Chan Medical School's Motion for Summary Judgment

Medical School's Academic Personnel Policy

Doc. T95-022, as amended

Passed by the BoT

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**ACADEMIC PERSONNEL POLICY
OF THE
UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL**

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ARTICLE 1. AUTHORITY, DEFINITIONS, STANDARDS

This Academic Personnel Policy (APP; Doc. T95-022) of the University of Massachusetts Medical School (UMMS) [University of Massachusetts Worcester (UMW)] is promulgated by the Board of Trustees of the University of Massachusetts System under the authority of Massachusetts General Laws, Chapter 75, supersedes the University-wide Academic Personnel Policy (Doc. T76-081), and replaces in its entirety previous revisions of the UMMS APP.

Section 1.1 Delegation of Authority from the Board of Trustees

The University of Massachusetts Board of Trustees has the statutory authority to make decisions in matters of Faculty status and may delegate that authority only to certain administrative officials (Mass. G.L. c. 75 § 3A). As defined in the Board of Trustees Statement on University Governance (Doc. T73-098, as amended), the President of the University of Massachusetts System has been delegated the authority to appoint members of the Faculty to Tenure with the concurrence of the Board of Trustees. The Chancellor has been delegated the authority to make decisions in all other matters of Faculty status. Any re-delegation of appointing authority to the Provost or other academic administrative officials is subject to the approval of the Board of Trustees. The Provost defines the number of Employed Faculty positions assigned to the Tenure or Non-Tenure Tracks in Schools, Departments, and Non-Department Units after consultation with the dean, chair or director. The number of positions is subject to revision in accordance with periodically-reviewed long-range plans established by the Chancellor and by implementation of any applicable retrenchment policy. All Personnel Actions must be consistent with program plans at the Department, School, campus, and University of Massachusetts System levels.

Section 1.2 Amendment

Amendments to this APP require approval by a two-thirds vote of both the UMMS Faculty Council and UMMS Executive Council. If approved by both Councils, the proposed amendment must be submitted to the Faculty-at-Large for a simple majority vote for or against its acceptance. If voted favorably, the proposed amendment must be transmitted for consideration and potential approval according to the procedures outlined in the Board of Trustees Statement on University Governance (Doc. T73-098, as amended). The Board of Trustees reserves the right to alter, amend, or revoke the foregoing documents in part or in whole at any time.

Section 1.3 Definitions

Words and phrases are construed according to the common and approved usage of the language, but technical words and phrases and such others as have acquired a peculiar and appropriate meaning are construed and understood according to such meaning. Words imparting the singular number may be extended and be applied to several persons or things, and words imparting the plural number may include the singular. As used in these policies and procedural standards, the following terms have the meaning herein given unless otherwise expressly provided.

"Academic Activities" — those activities performed as a Faculty Member in one or more of the four core missions of UMMS, as defined in the UMW Governance Document (Doc. T03-035, as amended):

- a. **Education Mission.** Activities such as the provision of formal lectures, seminars, student conferences or one-on-one teaching of students at various levels, development of new curricula and/or development of educational policies.
- b. **Research and Scholarly Activity Mission.** Activities such as the performance of investigator-initiated or collaborative research; publication(s) in peer-reviewed journals; invited presentations;

publication of reviews, books and book chapters; gathering of data; funded grants and contracts; and the submission of grants.

- c. **Health Care Delivery Mission.** Activities such as assisting in the delivery of high quality, state of the art health care in an appropriate setting, which is recognized as such by peers; expanding the horizons of clinical care by developing new diagnostic or therapeutic methods; establishing new clinical services.
- d. **Service Mission.** Service and administrative duties within UMMS, the University and/or the local/national/international community.

"Department" — an administrative subdivision of a School organized for the purpose of one or more of the missions of UMMS, as defined in the UMW Governance Document (Doc. T03-035, as amended).

"Employed Faculty" — individuals appointed to the Faculty who are either UMMS-Employed Faculty, UMMHC-Employed Faculty, or Faculty Employed by a University-Approved External Foundation or Agency.

"Faculty" — all individuals with academic appointments in one or more of the Schools.

"Faculty Employed by a University-Approved External Foundation or Agency" — Individuals primarily employed by contract with a University-approved external foundation, such as the Howard Hughes Medical Institute, or agency, such as the Veterans Administration.

"Faculty Member" — an individual with an academic appointment in one or more of the Schools.

"Non-Department Unit" — an organizational unit other than a Department in which a Faculty Member holds a position, including, but not limited to, a Program, Center or Institute (as defined in the UMW Governance Document; Doc. T03-035, as amended), a business unit (such as Commonwealth Medicine and MassBiologics), and other administrative units.

"Non-Tenured Faculty" — individuals who have not received the award of Tenure, including those in the Non-Tenure Track and those in the Tenure Track with a Probationary Period.

"Personnel Action" — any action relating to the status of a Faculty Member.

"School" — the School of Medicine (SOM), the Graduate School of Nursing (GSN), the Graduate School of Biomedical Sciences (GSBS), and such other Schools as may be established in accordance with the UMW Governance Document (Doc. T03-035, as amended).

"Tenured Faculty" — individuals who have received the award of Tenure.

"UMMS" — University of Massachusetts Medical School.

"UMMHC" — UMass Memorial Health Care, Inc., used herein to refer collectively to UMass Memorial Health Care, UMass Memorial Medical Group and UMass Memorial Medical Center.

"UMW" — University of Massachusetts Worcester.

"UMMS-Employed Faculty" — employees of UMMS who are appointed to the Faculty, with the exception of Professional Staff with a Faculty Appointment.

"UMMHC-Employed Faculty" — employees of UMMHC who are appointed to the Faculty, with the exception of Professional Staff with a Faculty Appointment.

Section 1.4 Academic Freedom

The standards and interpretations of the American Association of University Professors on matters of academic freedom as set forth in the “1940 Statement of Principles on Academic Freedom and Tenure, with 1971 Interpretive Comments” serve as the basic guidelines for the maintenance of academic freedom at UMMS.

These standards and interpretations as to academic freedom apply to all individuals who perform teaching or research functions at UMMS, whether or not such individuals are Faculty Members. A Faculty Member cannot be terminated, suspended, denied employment, or otherwise-penalized, if said action would constitute a material breach or infringement of said standards and interpretations as to academic freedom.

Section 1.5 Equal Opportunity and Affirmative Action

All Personnel Actions concerning UMMS Faculty, including initial appointment, must be consistent with University of Massachusetts policy (Doc. T92-034, as amended) on equal opportunity and affirmative action.

Section 1.6 Primary Responsibility of the Faculty

As defined in the Board of Trustees Statement on University Governance (Doc. T73-098, as amended), the Faculty of UMMS has primary responsibility in matters of Faculty status: that is, appointments, promotions, and the award of Tenure. The Faculty exercises this responsibility through participation on Department and School Personnel Action and Tenure Committees and through participation in the development of faculty personnel policies and procedures, and amendments of this APP.

Section 1.7 Procedural Standards in Personnel Actions

The following standards apply to all Personnel Actions.

- a. **Conflict of Interest.** A Faculty Member or administrative official must not participate directly or indirectly in any recommendation or decision relating to appointment, reappointment, promotion, tenure, or condition of employment at UMMS of any individual with whom that Faculty Member or official has either a familial relationship, including but not limited to, a parent, child, spouse, sibling, parent-in-law, sibling-in-law, child-in-law, or stepchild of, and/or a financial relationship with said Faculty Member or official. Exceptions may be granted by the President of the University of Massachusetts System, if they deem that it would be in the best interests of the University of Massachusetts and in accordance with relevant state law to grant a waiver of this prohibition. A Faculty Member or administrative official must withdraw from participation in any personnel recommendation or decision that would result in an actual or potential conflict of interest as described above, or if it is determined by the chair of a Department or School Personnel Action or Tenure Committee that the individual’s ability to render a fair and impartial recommendation may reasonably be impacted in light of their personal, professional, familial and/or financial relationships with the candidate. UMMS, as a University in the University of Massachusetts System, is a State agency, and in this regard, all State employees are also subject to the Commonwealth’s Conflict of Interest laws, Massachusetts General Laws, Chapter 268A.
- b. **Confidentiality.** All participants in the review of candidates, including support staff, must maintain confidentiality, unless required otherwise by some law or Court Order. Personnel Actions are considered personnel-related matters. Participants in the review of candidates must not:
 - i. Communicate, in any manner, any part of a candidate’s Basic File, Tenure Dossier, or other confidential meeting materials to anyone who has not been officially designated to

participate in the review process, including the candidate being reviewed. Such materials, including, but not limited to, recommendations by chairs and review committees, letters of evaluation, the identity of letter writers and *ad hoc* reviewers, and vote tallies, are considered confidential, are only used in the review of the candidate for appointment, promotion and/or the award of Tenure.

- ii. Disclose, in any manner, information about committee deliberations, discussions, or evaluations to anyone who has not been officially designated to participate in the review process, including the candidate being reviewed, except as allowed in this APP.
 - iii. Use information contained in a candidate's Basic File, Tenure Dossier, or other confidential meeting materials for their personal benefit or make such information available for the benefit of any other individual or organization.
- c. Standards in Personnel Actions.** High professional standards must be employed in all Personnel Actions. Personnel Actions must be made only after a review of all the qualifications of the candidate and their contributions in the areas of Academic Activities specified in this APP.
- d. Decisions by Personnel Action and Tenure Committees.** For all such Department and School Committees, a quorum is one half of the voting members. Consistent with the UMW Governance Document (Doc. T03-035, as amended; Article VI, Section 3.f), committee decisions are made by a simple majority of the voting members present at a meeting where a quorum is declared. Such "votes" may be established by members participating in-person and/or via teleconference, video conference, or any other technology that allows full participation by the member. Proxy (absentee) voting is not permitted.
- e. Faculty Records.** The Provost's designee for faculty affairs maintains permanent personnel records of all Faculty Members, including, but not limited to, records of Personnel Actions. These materials are subject to the Procedural Standards on Confidentiality.

Section 1.8 Rights of Faculty Members in Personnel Actions

Policies, criteria, and procedural standards established herein and additional policies established by UMMS must not infringe upon the following rights of Faculty Members in Personnel Actions:

- a. The right to present all materials which the Faculty Member believes will assist in a fair and adequate consideration of personnel reviews, recommendations and decisions.
- b. The right to have access to information on the current needs and long-range plans of the Department, School, and UMMS.
- c. The right to have extra-departmental activities considered at the Department level as well as at other levels of review, recommendation and decision.
- d. The right to receive equitable treatment to ensure consistent recognition within their Department and School for Faculty Members whose chosen field, overall professional development, period of service on the campus, and quality of contributions, all taken as a whole, are judged to be approximately equal.
- e. The right to discuss their professional progress and any Personnel Action of concern with their chair, director of Non-Department Unit, or GSN Dean (as applicable) and, if such discussions are unsatisfactory, with the SOM Dean (if applicable), the Provost, the Chancellor, or the Chancellor's designee.

- f. The right to be informed in a timely manner of the personnel recommendations made at the Department or School level.
- g. The right to be informed of termination of appointment and/or employment, if applicable.
- h. The right to discuss reasons for an adverse personnel decision at all appropriate administrative levels.
- i. The right to invoke grievance procedures as specified in UMMS policies.

Section 1.9 Definition of “Cause”

With respect to termination for “Cause”, the definition of “Cause” includes, but is not limited, to the following:

- a. fraud or misrepresentation of professional preparation, accomplishments or experience;
- b. fraud, embezzlement, misappropriation of assets or other dishonesty with respect to UMMS or those associated with it;
- c. conviction of a felony or any offense that would adversely affect the individual’s ability to serve as a Faculty Member, as determined by UMMS in its sole discretion;
- d. repeated insubordination, material negligence, neglect, or misconduct in the performance of duties, as determined by UMMS in its sole discretion, including a failure or refusal to perform duties assigned by the chair, director of a Non-Department Unit, SOM Dean, GSN Dean or Provost, following notice of same from UMMS;
- e. prolonged or frequent absence from duty without the consent of the chair, director of a Non-Department Unit, , SOM Dean, GSN Dean or Provost, and not pursuant to an approved “leave” under the Family Medical Leave Act, following notice of same from UMMS; or
- f. repeated violation of a published policy of the University of Massachusetts System or UMMS, following notice of same from UMMS, that is material to the individual’s duties under their appointment.

ARTICLE 2. AREAS OF ACADEMIC EVALUATION

This Article defines areas for academic evaluation of Faculty Members: Areas of Distinction, Scholarship, Educational Activities, and Academic Service.

Section 2.1 Academic Expectations

Faculty Members are expected to demonstrate excellence in one or more Areas of Distinction that provide a unifying theme for their Academic Activities, achievements and scholarship; to demonstrate effectiveness in Educational Activities; and to participate in Academic Service; as defined in their letter of offer and as modified through subsequent performance evaluations.

Section 2.2 Areas of Distinction

- a. **Health Care Delivery.** The delivery of high quality health care in a hospital, ambulatory or community setting, which includes the development of diagnostic approaches, therapeutic methods and clinical services; innovations in clinical practice; and the development of programs or approaches that improve the safety, quality or efficacy of healthcare delivery.
- b. **Education.** The facilitation of learning and the acquisition of knowledge, skills and behaviors in learners such as students, trainees, faculty, staff, patients and/or external groups and communities, through educational activities as defined in Section 2.4.
- c. **Investigation.** The systematic generation of new knowledge in laboratory, clinical, community and other settings. Investigation includes basic, translational and clinical research, epidemiology, outcomes and health services research, and biostatistics, as well as research in social sciences, education, ethics, bioinformatics, public health, health policy and health economics. Investigation includes research conducted by individuals who bring a unique or critical expertise to research within teams ("team science") or within multidisciplinary or interdisciplinary collaborations.
- d. **Population Health and Public Policy.** The development, analysis, implementation and evaluation of health policy, population health relevant tools, and health interventions for local, national and/or international communities and populations.

Section 2.3 Scholarship

- a. **Definition.** Scholarship is a defining feature of academic excellence and is valued in each Area of Distinction. Scholarship has three essential components: advancement of knowledge, dissemination, and impact, defined as follows:
 - i. **Advancement of Knowledge.** Scholarship advances research, education or practice through discovery, integration, application, or transmission of knowledge. Scholarly activities include, but are not limited to, the discovery of new knowledge through investigation, the integration of knowledge to generate new understanding, the application of knowledge to provide new solutions for individuals or communities, and the development of novel educational approaches for the transmission of knowledge.
 - ii. **Dissemination.** Scholarship must be in a form that is disseminated and evaluated, allowing critical review. Scholarly work results from a rigorous and structured approach and includes, but is not limited to, peer-reviewed publications; books, book chapters and reviews; preprints and other interim research products; innovative educational materials; peer-reviewed meeting abstracts and presentations; patents, new therapies and technologies; and/or evidence-based products such as policy statements, safety and quality studies, innovations in patient care, and clinical guidelines.

- iii. **Impact.** Scholarship has a measurable impact at the local, regional, national or international level on a discipline, practice or community. For example, a research discovery influences the direction of a field or provides a platform for others to build on; a meta-analysis integrates an area of knowledge for new policies or guidelines; application of knowledge to clinical practice improves the health of individuals or communities; a novel educational approach enhances learning.
- b. **Evaluation.** Scholarship is evaluated by the quality and quantity of a body of scholarly work and the depth and breadth of impact of the scholarship. The quality, quantity, and impact of scholarly work should be judged in the context of the field or discipline. The impact of scholarship may be assessed by measures of the influence of the work on a discipline, practice or community, including statements from evaluators. The impact of the scholarship (local, regional, national, international) and the academic reputation of a Faculty Member is expected to expand with academic rank.

Scholarship may include contributions to the scholarly work of multidisciplinary and interdisciplinary teams. In such cases, the specific contributions of the individual to the work must be clear, substantial, and supported by statements of the individual's role and intellectual contributions to the work.

Section 2.4 Educational Activities

- a. **Definition.** Educational activities include the following areas:
 - i. **Programs and Courses.** Teaching students, residents, clinical fellows, postdoctoral trainees, and/or faculty in courses, programs, formal settings, such as lectures, seminars, and small groups, and/or other educational programs, including inter-professional education, service-learning, or other community-engaged pedagogy.
 - ii. **Research Education and Mentoring.** Teaching and mentoring of students, residents, clinical fellows, postdoctoral trainees, staff and/or faculty in the research setting, including activities such as training in research skills and techniques, including community engaged research; journal clubs; service on thesis committees; graduate program membership.
 - iii. **Clinical Education and Mentoring.** Teaching and mentoring of students, residents, fellows, faculty and/or other healthcare professionals in the healthcare setting, including activities such as clinical skills education and precepting; morning report and mortality and morbidity conferences; mentoring in hospital and ambulatory settings.
 - iv. **Educational Leadership, Administration and Service.** Educational leadership positions and service on internal and external educational committees, such as course director; residency or fellowship program director or associate director; graduate program director; membership and/or leadership of educational committees and organizations internally or externally; director of faculty development programs.
 - v. **Educational Development.** Development of educational materials and resources, such as curricula, courses, syllabi, web-based educational materials, educational technologies (e.g., simulation), policy statements, assessment tools, service-learning or other community-engaged pedagogy.
 - vi. **External Educational Activities.** Educational programs for the profession and public, such as continuing medical education (CME) programs; professional development and educational workshops; education of the public, including patient education, community education, and education of policy makers.

- vii. **Mentoring.** Mentoring faculty and others (such as students or professional staff), including, but not limited to, mentoring in UMMS and departmental mentoring programs, and/or external mentoring relationships.
- b. **Evaluation.** Educational activities are evaluated by the quality and quantity of an individual's activities and by their performance and effectiveness as an educator and mentor.
 - i. The effectiveness of an **educator** may be demonstrated by measures such as evaluations of teaching by learners, peers, and community partners; evaluations of courses and/or programs; learner scores on standardized tests; dissemination and impact of courses, curricula, or educational materials; and letters from students and/or trainees attesting to educational effectiveness.
 - ii. The effectiveness of a **mentor** may be demonstrated by measures such as the number and current status of mentees; publications and other scholarly works with mentees; assessments of mentoring abilities and competence; and letters from mentees attesting to mentoring effectiveness.

Section 2.5 Academic Service

Academic service activities include contributions to the life and governance of UMMS, the University of Massachusetts, to the profession, and to the national/international community, as part of the Service Mission of UMMS. Academic service activities reflect a Faculty Member's academic reputation and expertise.

In accordance with the UMW Governance Document (Doc. T03-035, as amended), academic service activities include service and administrative duties, such as:

- a. Serving as member or officer of a UMMS or University of Massachusetts committee or advisory body, or in the administration of a UMMS or University of Massachusetts entity (e.g. core, section, program, division, Department, School);
- b. Serving as a member of a study section, editorial board, Federal/State/Local governmental advisory body or a professionally-related scientific or educational organization; and
- c. Serving as a board member of a local community organization, nonprofit agency, and/or educational institution.

ARTICLE 3. APPOINTMENT AND PROMOTION

This article describes the policies and procedures for appointment and promotion of all Faculty Members.

Section 3.1 Appointment to the UMMS Faculty

Appointment to the Faculty is based on consideration of the criteria for appointment to an academic rank and on an individual's commitment of effort to the Academic Activities of UMMS, rather than on hospital rank, degree of responsibility, or seniority in other professional endeavors. Honorary appointments are not allowed.

Section 3.2 Academic Ranks and Titles

- a. **Academic Ranks.** Academic ranks are Instructor, Assistant Professor, Associate Professor, and Professor.
- b. **Academic Titles.** Academic titles are described as follows: [Rank] of [Department] in [School] at UMMS (e.g., Assistant Professor of Pediatrics in the School of Medicine at UMMS; Associate Professor in the Graduate School of Nursing at UMMS; Professor of Pathology at UMMS-Baystate in the School of Medicine at UMMS).
- c. **Modified Academic Titles.** Emeritus (Section 3.15), Adjunct (Section 6.4) and Visiting (Section 6.5) Faculty have modified academic titles (e.g., Professor Emeritus of Medicine; Adjunct Assistant Professor of Pediatrics; Visiting Associate Professor of Molecular Medicine).

Section 3.3 Types of Appointments

Faculty Members are appointed only in Schools and in Departments. All Faculty Members have a primary appointment in either a Department within the School of Medicine (SOM) or in the Graduate School of Nursing (GSN).

Appointment as a member of the Graduate School of Biomedical Sciences (GSBS) is governed by the GSBS Bylaws. Members of the GSBS must have a primary appointment in a SOM Department or in the GSN.

- a. **Primary Appointment.** Faculty Members are promoted, receive the Award of Tenure, and are evaluated in the academic unit where they hold their primary appointment, either a SOM Department or the GSN. The chair of a SOM Department or the GSN Dean is responsible for recommendations for Personnel Actions and for performance evaluations of the Faculty Members with primary appointments in their Department or School, except as described below for Faculty Members who have appointments in more than one Department or School, or who have a position in a Non-Department Unit.
- b. **Joint Appointment.** A Faculty Member may have a joint appointment in two or more Department or Schools that have joint fiscal responsibility for the Faculty Member. Joint appointments are recommended by the chairs of the Departments and the GSN Dean (as applicable). The chairs of the Departments and the GSN Dean (as applicable), share responsibility for Personnel Actions and for performance evaluations of the Faculty Member. One Department or the GSN is designated as primary for these purposes. Expectations for the Faculty Member are defined by written agreement between the Faculty Member and, as applicable, the chairs and GSN Dean. Joint appointments are at the same academic rank in each Department or School.
- c. **Secondary Appointment.** A Faculty Member may have a secondary appointment in one or more Department or School for the purpose of contributions and collaborative relationships in any of the mission areas. Secondary appointments are recommended by the chairs of both primary and

secondary Departments and, as applicable, the GSN Dean, and approved by the Provost or their designee. The chair or the GSN Dean must participate in Personnel Actions and may contribute to the performance evaluations of Faculty Members with secondary appointments in their Department or School. Departments or Schools may establish expectations for Faculty Members with secondary appointments. Secondary appointments are at the same academic rank as the primary appointment.

- d. **Positions in Non-Department Units.** A Faculty Member with a position in a Non-Department Unit must hold a primary appointment in a SOM Department or in the GSN. The chair or GSN Dean (as applicable) has primary responsibility for Personnel Actions for the Faculty Member in consultation with the director of the Non-Department Unit. The director of the Non-Department Unit has primary responsibility for performance evaluation of the Faculty Member in consultation with the chair or GSN Dean. Expectations for the Faculty Member are defined by written agreement between the director, chair or Dean, and Faculty Member.

Section 3.4 Academic Tracks

All Faculty Members are appointed in either the Non-Tenure Track or in the Tenure Track. Individuals are recommended for appointment in a track by the chair or GSN Dean (as applicable).

- a. **Non-Tenure Track.** The Non-Tenure Track may include any individual eligible for a Faculty appointment. Individuals in the Non-Tenure Track are at the rank of Instructor, Assistant Professor, Associate Professor or Professor.
- b. **Tenure Track.** The Tenure Track only includes individuals appointed in the Tenure Track with a Probationary Period and individuals who have received the award of Tenure. Individuals in the Tenure Track are at the rank of Assistant Professor, Associate Professor or Professor. Individuals with Tenure are at the rank of Associate Professor or Professor. Only Employed Faculty, with the exception of Professionally-Salaried UMMS-Employed Faculty (Section 5.2.a.ii), are eligible to be appointed in the Tenure Track or to receive the award of Tenure.

Section 3.5 Evaluation of Candidates for Appointment and Promotion

- a. **Eligibility.** To be considered as a candidate for appointment or promotion to an academic rank, an individual must meet the eligibility requirements for that rank (Sections 3.6–3.9).
- b. **Evaluation.** A candidate is recommended for appointment or promotion by a SOM Department chair or the GSN Dean (as applicable) and by Personnel Action Committees following evaluation of the candidate's Basic File (Section 3.11) through the procedures for appointment and promotion (Sections 3.12 and 3.13). A candidate is evaluated for the quality and quantity of their Academic Activities, achievements and scholarship in one or more Areas of Distinction (Section 2.2); their Educational Activities (Section 2.4); and their Academic Service (Section 2.5). A candidate's scholarship is evaluated as described in Section 2.3.b.
- c. **Levels of Achievement.** Based on this evaluation, a candidate is judged to have attained one of three levels of achievement: "Entry", "Established" or "Senior". In all cases, the overall judgment by Personnel Action Committees that a candidate has demonstrated excellence at a level of achievement is of greatest importance in the evaluation process. Examples that provide evidence of achievement at each level are listed in Tables 1–5. The criteria for each academic rank (Sections 3.6–3.9) define the levels of achievement required for appointment or promotion to that rank.

| Table 1. Health Care Delivery: Examples that Provide Evidence of Achievement at Each Level |
|---|
| Entry Level |
| <p>Expertise in a clinical specialty, demonstrated by:</p> <ul style="list-style-type: none"> • <i>Local</i> recognition for contributions to health care delivery • Advanced degrees (e.g., MPH, MHA) and/or certification in clinical practice or related areas <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and middle author, case reports, book chapters, and/or reviews • Presentations at professional meetings |
| Established Level |
| <p>Excellence in a clinical specialty with <i>local/regional impact</i>, demonstrated by:</p> <ul style="list-style-type: none"> • Major responsibility for and/or leadership of a clinical program and/or quality initiative • A unique clinical program, diagnostic test, and/or intervention with documented outcomes • Innovative approaches that improve safety, quality, and/or efficacy of healthcare delivery • A defined role in patient-oriented or other area of research, including industry-supported clinical trials • Funding for innovations in health care delivery, clinical, and/or translational research as a principal investigator, co-investigator, or contributor to team projects • A defined role and/or leadership in team or multi-center projects in health care delivery • Identification by peers as a role model in clinical practice and professionalism <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and senior author, case reports, book chapters, and/or reviews, including publication of multidisciplinary studies as an author or a named member of an authorship group • Safety and quality studies, standards of care, policies, models of care coordination, guidelines, and/or protocols for patient treatment or delivery of care <p><i>Local/regional</i> recognition for clinical expertise and/or health care delivery, demonstrated by</p> <ul style="list-style-type: none"> • Clinical consulting and referrals • Honors and awards for clinical expertise and/or health care delivery • Invited presentations and presentations at professional meetings |
| Senior Level |
| <p>A sustained record of excellence in a clinical specialty with <i>regional/national impact</i>, demonstrated by:</p> <ul style="list-style-type: none"> • Leadership of a clinical program and/or quality initiative • A unique clinical program, diagnostic test, and/or intervention with documented outcomes • Innovative approaches that improve safety, quality and/or efficacy of healthcare delivery • Leading role, often as principal investigator, in patient-oriented or other area of research, including industry-supported clinical trials • Funding for innovations in health care delivery, clinical, and/or translational research, primarily as a principal investigator • Leadership and/or defined role in team or multi-center projects in health care delivery • Identification by peers as a role model in clinical practice and professionalism <p>A sustained record of exceptional scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as senior author, that have an impact on the field • Books, book chapters, reviews, and/or textbooks that are recognized as authoritative and are highly cited • Continuing record of publication, as a senior author or a named member of an authorship group, of multidisciplinary studies that have an impact on the field • Safety and quality studies, standards of care, policies, models of care coordination, guidelines, and/or protocols for patient treatment or delivery of care <p><i>National/international</i> recognition for clinical expertise and/or health care delivery, demonstrated by</p> <ul style="list-style-type: none"> • <i>National/international</i> honors and awards for clinical expertise and/or health care delivery • Invited presentations and presentations at <i>national/international</i> professional meetings • Leadership of <i>national/international</i> professional or disciplinary organizations |

| Table 2. Education: Examples that Provide Evidence of Achievement at Each Level |
|--|
| Entry Level |
| <p>Expertise in education, demonstrated by:</p> <ul style="list-style-type: none"> • <i>Local</i> recognition for contributions to education • Educational effectiveness (evaluated as defined in Section 2.4.b) • Mentoring of students and/or trainees • Advanced degrees and/or certification in education <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and middle author, case reports, book chapters, and/or reviews • Presentations at professional meetings |
| Established Level |
| <p>Excellence in education with <i>local/regional</i> impact, demonstrated by:</p> <ul style="list-style-type: none"> • Educational effectiveness (evaluated as defined in Section 2.4.b) • Mentoring of students, trainees, and/or faculty • Leadership and service activities in education • Innovative courses, curricula, or other educational programs, materials, and resources • Defined role and/or leadership in educational research • Defined role and/or leadership in team or multi-center educational projects or programs • Advanced degrees and/or certification in education <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and senior author, book chapters, and/or reviews, including publication of multidisciplinary studies as an author or a named member of an authorship group • Educational materials published in print or other media such as syllabi, curricula, web-based training modules or courses, technologies (e.g., simulation), educational methods, policy statements, and/or assessment tools <p><i>Local/regional</i> recognition for education, demonstrated by</p> <ul style="list-style-type: none"> • Honors and awards for education • Invited presentations and presentations at professional meetings |
| Senior Level |
| <p>A sustained record of excellence in education with <i>regional/national</i> impact, demonstrated by:</p> <ul style="list-style-type: none"> • Educational effectiveness (evaluated as defined in Section 2.4.b) • A sustained record of mentoring students, trainees, and/or faculty • Leadership and service activities in education • Innovative courses, curricula, or other educational programs, materials, and resources • Leading role in educational research preferably supported by funding • Leadership and/or defined role in team or multi-center educational projects or programs <p>A sustained record of exceptional scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as senior author, that have an impact on the field • Books, book chapters, reviews and/or textbooks that are recognized as authoritative and are highly cited • Continuing record of publication as a senior author or a named member of an authorship group of multidisciplinary studies that have an impact on the field • Textbooks or equivalent resources adopted by other institutions • Educational materials published in print or other media such as syllabi, curricula, web-based training modules or courses, technologies (e.g., simulation), educational methods, policy statements, and/or assessment tools <p><i>National/international</i> recognition for education, demonstrated by</p> <ul style="list-style-type: none"> • <i>National/international</i> honors and awards for education • Invited presentations and presentations at <i>national/international</i> professional meetings • Leadership of <i>national/international</i> professional or disciplinary organizations |

| Table 3. Investigation: Examples that Provide Evidence of Achievement at Each Level |
|---|
| Entry Level |
| <p>Expertise in an area of investigation (Section 2.2.c), demonstrated by <i>local</i> recognition for contributions to research</p> <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and middle author, book chapters and/or reviews • Invited presentations and presentations at professional meetings |
| Established Level |
| <p>Excellence in one or more areas of investigation (Section 2.2.c), demonstrated by:</p> <ul style="list-style-type: none"> • Funding for research primarily as a principal investigator on external and internal grants but may be a major contributor to funded team projects • Innovative methods, technologies or therapies, and/or novel applications of existing methods and technologies • Leadership of or major responsibility for research projects or a research core service • Defined role and/or leadership in team or multi-center research projects or programs <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and/or senior author, of original research and/or novel methods/technologies that advance the field, including publication of multidisciplinary studies as an author or a named member of an authorship group • Book chapters and/or reviews • Patents, new therapies and/or technologies <p><i>Regional/national</i> recognition for investigation, demonstrated by:</p> <ul style="list-style-type: none"> • Honors and awards for investigation • Invited presentations and presentations at professional meetings |
| Senior Level |
| <p>A sustained record of excellence in research that has an impact in one or more areas of investigation (Section 2.2.c), demonstrated by:</p> <ul style="list-style-type: none"> • Consistent and sustained record of funding for research primarily as a principal investigator on external and internal grants but may be a major contributor to funded team projects • Development of innovative methods, technologies or therapies, and novel applications of existing methods and technologies that have been adopted by others • Sustained leadership of research projects or a research core service • Leadership and/or defined role in team or multi-center research programs or projects <p>A sustained record of exceptional scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as senior author, of original and innovative research that has an impact on the field, and/or of novel methods/technologies that advance the field • Books, book chapters, reviews and/or textbooks that are recognized as authoritative and are highly cited • Continuing record of publication, as an author or as a named member of an authorship group, of multidisciplinary research that has an impact on the field • Patents, new therapies, and/or technologies <p><i>National/international</i> recognition for investigation, demonstrated by</p> <ul style="list-style-type: none"> • <i>National and/or international</i> honors and awards for contributions to research • Invited presentations and presentations at professional meetings, <i>nationally/internationally</i> • Leadership of <i>national/international</i> professional or disciplinary organizations |

| Table 4. Population Health and Public Policy: Examples that Provide Evidence of Achievement at Each Level |
|--|
| Entry Level |
| <p>Expertise in population health and public policy, demonstrated by:</p> <ul style="list-style-type: none"> • <i>Local</i> recognition for contributions to population health and public policy • Advanced degrees and/or certification in public health and health policy <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and middle author, case reports, book chapters, and/or reviews • Presentations at professional meetings |
| Established Level |
| <p>Excellence in population health and public policy with <i>local/regional</i> impact, demonstrated by:</p> <ul style="list-style-type: none"> • Development, analysis, implementation, and/or evaluation of one or more of the following: <ul style="list-style-type: none"> ◦ programs that enhance community or population health ◦ health or health care policy, ◦ technology and analysis tools for community and population health, ◦ initiatives in specific systems, such as the legal and criminal justice system • Leadership of, or major responsibility for, projects and programs in population health and public policy • Defined role and/or leadership in team or multi-center projects in population health and public policy • Development of a robust partnership with community members/organizations that contributes to shaping population and community health or health policy • Development, analysis, implementation, and/or evaluation of global health programs <p>A record of scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and senior author, book chapters, and/or reviews, including publication of multidisciplinary studies as an author or a named member of an authorship group • Policy statements, white papers, legislative and/or legal advances with <i>regional</i> impact <p><i>Local/regional</i> recognition for population health and public policy demonstrated by:</p> <ul style="list-style-type: none"> • Honors and awards for population health and public policy • Invited presentations and presentations at professional meetings |
| Senior Level |
| <p>A sustained record of excellence in population health and public policy with <i>national/international</i> impact, demonstrated by:</p> <ul style="list-style-type: none"> • Development, analysis, implementation, and/or evaluation of one or more of the following: <ul style="list-style-type: none"> ◦ programs that enhance community or population health ◦ health or health care policy, ◦ technology and analysis tools for community and population health, ◦ initiatives in specific systems, such as the legal and criminal justice system • Leadership of, or major responsibility for, projects and programs in population health and public policy • Leadership and/or defined role in team or multi-center projects in population health and public policy • Development of a robust partnership with community members/organizations that contributes to shaping population and community health or health policy • Analysis, implementation, and/or evaluation of expanded global health programs <p>A sustained record of exceptional scholarship that may include:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first author, that have an impact on the field • Books, book chapters, reviews and/or textbooks that are recognized as authoritative and are highly cited • Continuing record of publication as an author or a named member of an authorship group of multidisciplinary research that has an impact on the field • Policy statements, white papers, legislative, and/or legal advances with <i>national/international</i> impact <p><i>National/international</i> recognition for contributions to population health and public policy</p> <ul style="list-style-type: none"> • <i>National/international</i> honors and awards for work in population health and public policy • Invited presentations and presentations at professional meetings, <i>nationally and/or internationally</i> • Leadership of <i>national/international</i> professional or disciplinary organizations |

| Table 5. Academic Service: Examples that Provide Evidence of Achievement at Each Level |
|---|
| Entry Level |
| <p>A record of academic service and related activities, demonstrated by:</p> <ul style="list-style-type: none"> • Participation in professional organizations • Peer reviewer for journals or granting agencies • Service on committees, task forces and other groups for the Department, Non-Department Unit, School, or UMMS • Advisor and/or sponsor of student or resident organizations |
| Established Level |
| <p>A substantial record of academic service and related activities at the <i>local/regional</i> level, demonstrated by:</p> <ul style="list-style-type: none"> • Leadership positions, committee membership, and other service activities in professional organizations • Leadership and/or service in the organization of a professional meeting • Service on committees evaluating programs and/or developing guidelines and policies in area of expertise • Invitations to consult, review, or assess programs in other institutions and organizations • Membership, including <i>ad hoc</i> membership, of a grant review panel or equivalent committee • Peer reviewer and/or membership on editorial boards for journals • Substantial contributions to faculty governance and/or task forces, committees, and/or other groups of the School, UMMS and/or University of Massachusetts • Substantial administrative responsibilities for the Department, Non-Department Unit, School, and/or UMMS • Spokesperson for the School, UMMS, University of Massachusetts, and/or professional organization on areas of expertise, featured <i>locally/regionally</i> |
| Senior Level |
| <p>A sustained, substantial record of academic service and related activities at the <i>national/international</i> level, demonstrated by:</p> <ul style="list-style-type: none"> • Leadership positions, committee membership, and other service activities in professional organizations • Leadership and/or service in the organization of a professional meeting • Service on committees evaluating programs and/or developing guidelines and policies in area of expertise • Invitations to consult, review, or assess programs in other institutions and organizations • Regular membership and/or leadership of a grant review panel or equivalent committee • Editor and/or membership on editorial boards for journals • Leadership position(s) and substantial contributions to faculty governance and/or task forces, committees, and other groups of the School, UMMS, and/or University of Massachusetts • Leadership position(s) and substantial administrative responsibilities for the Department, Non-Department Unit, School, and/or UMMS • Spokesperson for the School, UMMS, University of Massachusetts, and/or professional organization on areas of expertise, featured <i>nationally/internationally</i> |

Section 3.6 Appointment to the Rank of Instructor

- a. **Eligibility.** Candidates for appointment as Instructor are expected to contribute to UMMS educational and research programs and are one of the following:
 - i. Clinical practitioners with a terminal degree in a clinical discipline who are board-certified, have equivalent qualifications, or have completed all necessary training to be eligible for board certification; and who devote a small proportion of professional effort (generally <10% effort) to UMMS educational and research programs.
 - ii. Clinical trainees in UMMS non-ACGME (Accreditation Council for Graduate Medical Education) accredited fellowship programs or individuals appointed as UMMS Chief Residents after completing residency training. Individuals participating in ACGME-approved residency and fellowship programs are not eligible for a Faculty appointment, except as allowed by ACGME and Department policy.
 - iii. Individuals with a terminal degree who have completed a minimum of 2 years post-doctoral training (or equivalent postdoctoral experience) and who are non-independent investigators transitioning to the academic pathway. Postdoctoral Associates are not eligible for a Faculty appointment.
 - iv. Individuals without a terminal degree who contribute to UMMS educational and research programs.
- b. **Criteria.** Candidates for appointment to Instructor must demonstrate Entry level of achievement in at least one Area of Distinction.

Section 3.7 Appointment or Promotion to the Rank of Assistant Professor

- a. **Eligibility.** The rank of Assistant Professor is most commonly used for individuals who are appointed or promoted to their first independent faculty position. Candidates for appointment or promotion to Assistant Professor must devote a substantial proportion of effort (generally >10%) to UMMS Academic Activities and are one of the following:
 - i. Clinical practitioners with a terminal degree in a clinical discipline who are board-certified, have equivalent qualifications, or have completed all necessary training to be eligible for board certification.
 - ii. Individuals with a terminal degree who have completed a minimum of 2 years post-doctoral training (or equivalent experience). This requirement may be waived for individuals with terminal degrees in disciplines (e.g., Economics, Biostatistics) where postdoctoral training is not expected for a faculty position.
 - iii. Individuals without a terminal degree who have professional experience and achievements that meet the criteria for appointment or promotion to Assistant Professor.
- b. **Criteria.** Candidates for appointment or promotion to Assistant Professor in either the Tenure or Non-Tenure Track must demonstrate Entry level of achievement in at least one Area of Distinction plus Entry level of achievement in one other category.

Section 3.8 Appointment or Promotion to the Rank of Associate Professor

- a. **Eligibility.** The rank of Associate Professor is reserved for individuals who have a substantial record of achievement and academic accomplishments beyond that required for the rank of Assistant Professor. Appointment or promotion to Associate Professor usually requires 6 years of service at the level of Assistant Professor at UMMS or at another academic institution, or

equivalent previous professional experience. Candidates may be considered with less time in rank, provided they meet the criteria below.

Candidates for appointment or promotion to Associate Professor must devote a substantial proportion of effort (generally >10%) to UMMS Academic Activities and are one of the following:

- i. Individuals with a terminal degree who must be board-certified or have equivalent qualifications as applicable to their professional and academic responsibilities.
- ii. Individuals without a terminal degree who have professional experience and achievements that meet the criteria for appointment or promotion to Associate Professor.

b. **Criteria for Faculty in the Non-Tenure Track.** Candidates for appointment or promotion to Associate Professor in the Non-Tenure Track must demonstrate all of the following:

- i. **Established** level of achievement in an Area of Distinction;
- ii. **Entry** level of achievement in at least **two** other categories; and
- iii. At least **Entry** level of achievement in Education.

Candidates whose Area of Distinction is Education are required to have Entry level of achievement in only **one** other category.

c. **Criteria for Faculty in the Tenure Track and with Tenure.** Candidates for appointment or promotion to Associate Professor in the Tenure Track or with Tenure must demonstrate all of the following:

- i. **Established** level of achievement in an Area of Distinction;
- ii. **Established** level of achievement in at least **one** other category;
- iii. **Entry** level of achievement in at least **one** other category;
- iv. At least **Entry** level of achievement in Education; and
- v. National recognition for scholarship.

In rare circumstances, appointment or promotion to Associate Professor may be considered for individuals who do not meet all criteria but who are judged by Personnel Action Committees to have an exceptional record of achievement in an Area of Distinction.

Section 3.9 Appointment or Promotion to the Rank of Professor

a. **Eligibility.** The rank of Professor is reserved for individuals who have exceptional achievement in one or more Areas of Distinction. Candidates for appointment or promotion to Professor should be leaders in their field of expertise, as demonstrated by a sustained and substantial record of accomplishments well beyond that required for the rank of Associate Professor. Appointment or promotion to Professor usually requires 12 years of professional experience beyond the time the candidate would have qualified for an initial appointment at the Assistant Professor rank. Candidates may be considered with less time in rank, provided that they meet the criteria below.

Candidates for appointment or promotion to Professor must devote a substantial proportion of effort (generally >10%) to UMMS Academic Activities and are one of the following:

- i. Individuals with a terminal degree who must be board-certified or have equivalent qualifications as applicable to their professional and academic responsibilities.
- ii. Individuals without a terminal degree who have professional experience and achievements that meet the criteria for appointment or promotion to Professor.

- b. **Criteria for Faculty in the Non-Tenure Track.** Candidates for appointment or promotion to Professor in the Non-Tenure Track must demonstrate all of the following:
 - i. **Senior** level of achievement in an Area of Distinction;
 - ii. **Established** level of achievement in at least **one** other category;
 - iii. **Entry** level of achievement in at least **one** other category; and
 - iv. At least **Entry** level of achievement in Education.
- c. **Criteria for Faculty in the Tenure Track and with Tenure.** Candidates for appointment or promotion to Professor in the Tenure Track or with Tenure must demonstrate all of the following:
 - i. **Senior** level of achievement in an Area of Distinction;
 - ii. **Senior** level of achievement in at least **one** other category;
 - iii. **Established** level of achievement at least **one** other category; and
 - iv. At least **Entry** level of achievement in Education.

In rare circumstances, appointment or promotion to Professor may be considered for individuals who do not meet all criteria but who are judged by Personnel Action Committees to have an exceptional record of achievement in an Area of Distinction.

Section 3.10 Personnel Action Committees

- a. **Department Personnel Action Committee (DPAC).** Each SOM Department must establish a Department Personnel Action Committee (DPAC) to review and evaluate candidates for appointment or promotion in the Department and make recommendations to the chair. DPAC members are nominated annually by the chair and approved by a simple majority vote of the Department Faculty. A DPAC must consist of at least three Faculty Members with primary appointments in the Department, preferably at the rank of Professor. Members serve for three year terms and may serve multiple terms. The Department chair cannot serve on the DPAC or participate in its deliberations. Committee decisions are made by a simple majority of the voting members present at a meeting where a quorum is declared (Section 1.7.c).
- b. **School Personnel Action Committee (PAC).** The SOM and GSN must each establish a Personnel Action Committee (PAC) to review and evaluate candidates for appointment or promotion in the School and submit its recommendations to the dean. The membership of a School PAC, and its advising and reporting responsibilities are defined in the Bylaws of each School. Operating procedures for each PAC are defined in the Bylaws of the PAC. Committee decisions are made by a simple majority of the voting members present at a meeting where a quorum is declared (Section 1.7.c).

Section 3.11 The Basic File

The Basic File is the compilation of all materials relevant to the evaluation of a candidate for appointment or promotion. The Basic File consists of the following components:

- a. Materials provided by the candidate:
 - i. The candidate's current curriculum vitae in the UMMS format;
 - ii. Evidence of effectiveness in educational activities (Section 2.4; for promotion only); and
 - iii. A narrative statement that describes the candidate's Academic Activities, achievements and scholarship in the context of their overall role and goals as a Faculty Member (for promotion only; optional but strongly encouraged).

- b. Materials added through the procedure for appointment and promotion (Sections 3.12 and 3.13):
 - i. Letters of evaluation (Section 3.12.c);
 - ii. Written recommendation by the DPAC (SOM only; Section 3.12.d);
 - iii. Written recommendation by the chair of the candidate's primary department (SOM only; Section 3.12.e); and
 - iv. Written recommendations by other chairs, deans, or directors of Non-Department Units (as applicable; Section 3.12.e).

Such materials, including the identity of letter writers, are considered confidential, are only used in the review of the candidate for appointment or promotion, and must not be communicated to the candidate (Section 1.7.b).

Section 3.12 Procedure for Appointment and Promotion in the School of Medicine

This procedure applies to the appointment and promotion of all SOM Faculty Members with the exception of the appointment of Visiting Faculty (Section 3.14).

- a. **Temporary Appointments.** New hires who will be Employed Faculty are assigned a temporary appointment at the rank and title proposed by their chair until their appointment is approved through the procedure described herein. Such temporary appointments are subject to change and may be revoked at any time. The procedure for approval of appointments should be completed within one year.
- b. **Initiation of Procedure.** It is expected that a chair and a potential candidate will consult on the timeframe when an application for appointment or promotion will be submitted. In consultation with their chair the individual identifies at least one Area of Distinction that represents the focus of their Academic Activities.

Once a decision to submit an application is made, the chair requests the candidate to submit the following:

- i. Materials to be included in the candidate's Basic File (Section 3.11.a): a current curriculum vitae, evidence of effectiveness in educational activities (promotion only), and a narrative statement (optional, promotion only).
- ii. A list of individuals to be considered for letters of evaluation (Section 3.12.c). The candidate may also submit a list of individuals, with a written justification, whom the candidate believes may not be able to provide a fair and impartial evaluation.
- c. **Letters of Evaluation.** Letters of evaluation provide information for the evaluation of a candidate's contributions, achievements, and academic reputation. The chair selects the individuals to be solicited for letters of evaluation. In selecting individuals, the chair must take into consideration the lists of individuals provided by the candidate. The chair may add or subtract individuals as they deem appropriate but must include at least two individuals proposed by the candidate. The chair or their designee solicits the letters, which are added to the candidate's Basic File. All letters received must be included in the Basic File.

In certain cases, such as the appointment of an individual who has previously held a UMMS Faculty appointment, the chair may submit a request to the Provost or their designee to waive the requirement for letters of evaluation. The Provost or their designee reviews the request, decides whether or not to approval the waiver, and informs the chair.

Letters of evaluation are categorized as follows:

- i. **Category 1.** For appointment or promotion to any rank at least three (3) letters may be from any individual who can attest to the candidate's qualifications. Such individuals may be UMMS Faculty Members, colleagues at the same or previous institution, or past or present mentors, supervisors or collaborators.
 - ii. **Category 2.** For appointment or promotion to the ranks of Associate Professor or Professor, at least three (3) additional letters must be from individuals who are at an academic rank equal to or above the rank proposed for the candidate (or in an equivalent position in a non-academic institution) and who are not UMMS Faculty Members. Such individuals should not have a personal and/or professional relationship with the candidate that suggests a real or perceived conflict of interest or bias in evaluating the candidate. For example, the individual should not be a personal friend or relative, a close colleague at the same or previous institution, or a past or present mentor, supervisor or collaborator (as demonstrated by co-authored papers or joint funding).
 - iii. **Category 3.** Optional: letters (no defined number) attesting to the candidate's effectiveness in their educational activities may be solicited from students, trainees and/or mentees proposed by the candidate.
 - iv. **Adjunct and Visiting Faculty.** For appointment of Adjunct (Section 6.4) and Visiting Faculty (Section 3.14), a letter is required from the chair or equivalent official at the institution where the individual holds their primary academic appointment. This letter should confirm the candidate's rank and title, confirm that the candidate is in good academic standing, and recommend the candidate for an adjunct appointment at UMMS. No other letters of evaluation are required.
- d. **Department Review.** When the requirements for the contents of the Basic File and the letters of evaluation have been met, the chair or their designee submits the candidate's Basic File to the DPAC. The DPAC reviews the Basic File and makes a written recommendation for appointment or promotion to an academic rank based on the criteria for that rank. The recommendation, which must include the vote tally and the names of the DPAC members participating in the vote, is added to the Basic File.
- e. **Chair Review.** Following receipt of the DPAC's recommendation, the chair reviews the candidate's Basic File and makes a written recommendation for appointment or promotion to an academic rank based on the criteria for that rank. For a candidate for appointment, the chair's recommendation must also include a description of the proposed duties of the prospective Faculty Member, their qualifications for the position, and the recommended academic rank and Track.
- For a candidate who has a joint or secondary appointment in another Department or in the GSN, or who has a position in a Non-Department Unit, the chair, GSN Dean or director of the Non-Department Unit must either co-sign the chair's recommendation or provide a separate written recommendation.
- If the chair intends to make a recommendation different from that of the DPAC, then the chair must first meet with the DPAC chair for consultation prior to making their recommendation.
- If the chair does not recommend the candidate for appointment or promotion, the chair's recommendation is added to the Basic File and the procedure is concluded.

If the chair recommends the candidate for appointment or promotion, the chair's recommendation is added to the Basic File, which the chair submits to the Provost's designee for faculty affairs. After determining the completeness of the candidate's Basic File, the Provost's designee for faculty affairs submits the Basic File to the SOM PAC.

The chair informs the candidate of their recommendation and the recommendation of the DPAC.

- f. **PAC Review.** The PAC reviews the Basic File and makes a recommendation for appointment or promotion to an academic rank based on the criteria for that rank. PAC members who have voted in the Department review of the candidate may participate in the PAC review but are not allowed to vote. Individuals who have a real or perceived bias or conflict of interest (Section 1.7.a), as determined by the PAC Chair, are excused from participation in the review of the candidate. The recommendation, which must include the vote tally and the names of Committee members participating in the vote, is submitted to the Provost's designee for faculty affairs.

If the PAC recommends the candidate for appointment or promotion, the Provost's designee for faculty affairs submits the recommendation to the Executive Council for review.

If the PAC does not recommend the candidate for appointment or promotion, the Provost's designee for faculty affairs informs the chair of the PAC's recommendation. The chair may accept the PAC's recommendation, in which case the procedure is concluded. If the PAC recommends a different academic rank than that proposed, the chair may accept the recommendation, in which case review of the candidate continues at the rank recommended by the PAC.

Alternatively, the chair may provide clarification or additional information for the candidate's Basic File, which the Provost's designee for faculty affairs submits to the PAC. The PAC conducts a second review of the Basic File and makes a recommendation for appointment or promotion, which is submitted to the Provost's designee for faculty affairs.

If, after this second review, the PAC recommends the candidate for appointment or promotion, the Provost's designee for faculty affairs submits the recommendation to the Executive Council for review.

If, after this second review, the PAC does not recommend the candidate for appointment or promotion, the procedure is concluded and the Provost's designee for faculty affairs informs the chair, who informs the candidate.

- g. **Executive Council Review.** Following the PAC meeting, the Provost's designee for faculty affairs provides to the members of the Executive Council the list of candidates recommended by the PAC for appointment and promotion. If any member of the Executive Council has concerns about the appointment or promotion of a candidate, they must submit their concerns in writing to the Dean within 10 working days of receiving the list of candidates. The Dean must review the concerns of the Executive Council member and the candidate's Basic File, and may request additional information from the candidate's chair. The Dean then decides whether or not to approve the candidate for appointment or promotion.
- h. **Approval by Dean.** Following review by the Executive Council, the Provost's designee for faculty affairs provides to the Dean the list of candidates recommended by the PAC for appointment and promotion. The Dean reviews the recommendations and decides whether or not to approve the candidates. If the Dean intends to make a decision different from the recommendation of the PAC, the Dean must first review the candidate's Basic File and meet with the PAC chair for consultation.

The final decision on appointment or promotion of candidates is made by the Dean subject to approval by the Provost and Chancellor. The Provost's designee for faculty affairs informs the chair and the candidate of the decision.

Section 3.13 Procedure for Appointment and Promotion in the Graduate School of Nursing

Appointment or promotion of candidates in the Graduate School of Nursing (GSN) follows the same procedure as described for the School of Medicine (Section 3.12) with the following distinctions and clarifications:

- a. The GSN Dean and/or their designee performs the actions described for the chair in initiating the procedure and soliciting letters of evaluation.
- b. When the requirements for the contents of the Basic File and the letters of evaluation have been met, the GSN Dean and/or their designee submits the candidate's Basic File to the Provost's designee for faculty affairs who reviews the Basic File for completeness. There is no DPAC or chair review.
- c. The GSN Dean and/or their designee submits the candidate's Basic File to the GSN Personnel Action Committee (GSN PAC) for review and recommendation.
- d. The GSN PAC reviews the Basic File and makes a recommendation for appointment or promotion to an academic rank based on the criteria for that rank. Individuals who have a real or perceived bias or conflict of interest (Section 1.7.a), as determined by the GSN PAC Chair, are excused from participation in the review of the candidate. The recommendation, which must include the vote tally and the names of Committee members participating in the vote, is submitted to the Provost's designee for faculty affairs.

If the GSN PAC recommends the candidate for appointment or promotion, the Provost's designee for faculty affairs submits the recommendation to the Executive Council for review.

If the GSN PAC does not recommend the candidate for appointment or promotion, the procedure is concluded and the Provost's designee for faculty affairs informs the GSN Dean, who informs the candidate.

- e. Following review by the Executive Council, as described in Section 3.12.g, the Provost's designee for faculty affairs provides to the GSN Dean the list of candidates recommended by the GSN PAC for appointment and promotion. The GSN Dean reviews the recommendations and decides whether or not to approve the candidates for appointment or promotion. If the GSN Dean intends to make a recommendation different from that of the GSN PAC, the GSN Dean must first review the candidate's Basic File and meet with the GSN PAC chair for consultation.
- f. The final decision on appointment or promotion of candidates is made by the GSN Dean subject to approval by the Provost and Chancellor. The Provost's designee for faculty affairs informs the candidate of the decision.

Section 3.14 Appointment of Visiting Faculty

Visiting Faculty Members (Section 6.5) are appointed by a modified procedure that does not require review by DPAC, PAC or Executive Council. To appoint an individual as a Visiting Faculty Member, the chair or GSN Dean (as applicable) submits the following to the SOM Dean (if applicable), and the Provost or their designee:

- a. A written recommendation by the chair or GSN Dean that includes a description of the proposed duties of the Visiting Faculty Member, the duration of the appointment (usually up to one year), and their qualifications for the position;
- b. The candidate's curriculum vitae; and
- c. A letter from the chair or equivalent official at the institution where the individual holds their academic appointment. This letter should confirm the candidate's rank and title, state that the candidate is in good academic standing, and recommend the candidate for a visiting appointment at UMMS. No other external letters of evaluation are required.

The SOM Dean (if applicable) and the Provost or their designee reviews these materials, makes a decision to approve or not approve the appointment, and informs the chair or GSN Dean and the candidate.

The appointment of a Visiting Faculty Member may be extended on recommendation by the chair or GSN Dean (as applicable) and approval by the SOM Dean (if applicable) and Provost or their designee. Visiting Faculty appointments for longer than two years are not allowed; individuals requiring a longer appointment must be appointed as Adjunct Faculty (Section 6.4).

Section 3.15 Emeritus Status

In accordance with the University of Massachusetts Policy for Awarding Emeritus Status (Doc. T93-054, as amended), emeritus status is awarded to a Faculty Member who has permanently retired. Normally, emeritus status is granted only to an individual who has served as a UMMS Faculty Member for ten or more years and who has attained the rank of Professor. Employed Faculty (Article 5) and Affiliate Faculty (Article 6.3) are eligible. Emeritus status is designated by the Chancellor upon recommendation of the Provost, following a written request by the chair, SOM Dean or GSN Dean (as applicable). The term "Emeritus" follows the academic rank or title (e.g., Professor Emeritus of Department; Chair Emeritus of Department) and is an honorific designation.

ARTICLE 4. TENURE

This Article describes the policies and procedures for the award of Tenure and the terms and conditions that apply to all Tenured Faculty Members at UMMS.

Section 4.1 Eligibility for Tenure

To be considered for the award of Tenure, individuals must have an appointment in the Tenure Track (Section 4.5), be eligible for Appointment with Tenure (Section 4.9), or be eligible for Appointment with Term Tenure (Section 4.10). Tenure is only awarded to Faculty Members at the rank of Associate Professor or Professor. Tenured Faculty Members may be UMMS-Employed Faculty (Section 5.2), UMMHC-Employed Faculty (Section 5.3) or Faculty Employed by a University-Approved External Foundation or Agency (Section 5.4). Professionally-Salaried UMMS-Employed Faculty (Section 5.2.a.ii) are not eligible to receive the award of Tenure.

Section 4.2 Criteria for Tenure

The award of Tenure is an acknowledgement that a Faculty Member has achieved academic excellence. Tenure is awarded by the University of Massachusetts to individuals who on review of their Tenure Dossier (Section 4.7) are judged to meet each of the following criteria:

- a. Convincing evidence of, and potential for continuing “Excellence” in scholarly activity in one or more Areas of Distinction (Section 2.2) and “Excellence” in either Education (Section 2.4) or Academic Service (Section 2.5) with a minimum of “Strength” in the other, such as to demonstrate the possession of qualities appropriate to a member of the Faculty occupying a permanent position; and
- b. Compelling assurance of continuing development and achievement leading to considerable further contributions to UMMS, the University of Massachusetts, and the medical/scientific profession.

Section 4.3 Tenure Guarantees

The award of Tenure at UMMS guarantees:

- a. Continuing employment as an Academically-Salaried Faculty Member with an “Academic Salary” (as defined below), and subject only to termination by UMMS for “Cause” (Section 4.15) [Employment is guaranteed for a specified time period for individuals appointed with Term Tenure (Section 4.11)];
- b. Academic freedom (Section 1.4) within the defined missions of UMMS; and
- c. An “Academic Salary”, based on full time employment, defined as follows:
 - i. For a UMMS-Employed Tenured Faculty Member, Academic Salary is the individual’s annual base salary, which is defined as their total annual salary less any other additional compensation.
 - ii. For a UMMHC-Employed Tenured Faculty Member, Academic Salary is defined as the average annual base salary of all Tenured UMMS-Employed basic science faculty at the same rank, or the individual’s total annual base salary, whichever is lower.
 - iii. If an individual is not employed full time, their Academic Salary is pro-rated accordingly.

Section 4.4 Privileges and Responsibilities of Tenure

Because the award of Tenure provides the above guarantees, Tenured Faculty Members have an obligation for continuing high levels of performance in their Academic Activities. Tenured Faculty Members are also expected to provide a portion of their Academic Salary, which portion may be

defined in their letter of offer and may be modified by subsequent Annual Performance Reviews (Section 5.5). Sources of funding for this portion of Academic Salary may include, but are not limited to, awards and/or scholarships; grants and/or contracts; individual Research Trust Funds (RTF); individual endowment funds; compensation for administrative, educational or other academic services; and/or Department or Non-Department Unit funds at the discretion of the chair or director.

The performance of Tenured Faculty Members is reviewed annually through the APR (Section 4.12). Unsatisfactory ratings in the APR may result in a reduction of salary (Section 4.13). Tenured Faculty Members also undergo a Periodic Multi-Year Review (Section 4.14) that assesses faculty performance over a longer time. The employment and appointment of a Tenured Faculty Member can only be terminated by UMMS for “Cause” (Section 4.15).

Section 4.5 The Tenure Track

Individuals appointed in the Tenure Track with a Probationary Period conduct Academic Activities and Scholarship (Section 2.3) in one or more Areas of Distinction (Section 2.2), engage in Educational Activities (Section 2.4), and provide Academic Service (Section 2.5) to establish an academic record to be considered for the award of Tenure.

- a. **Appointment in the Tenure Track.** Individuals may be appointed in the Tenure Track in one of two ways:
 - i. **Appointment at Time of Hire.** Individuals are appointed in the Tenure Track at the time of hire though the procedures for appointment (Sections 3.12 and 3.13).
 - ii. **Transfer from the Non-Tenure Track.** Individuals may transfer from the Non-Tenure Track into the Tenure Track in the SOM on recommendation of the chair, following review by the Department Tenure Committee (or equivalent), and approval by the Dean and Provost. Individuals may transfer from the Non-Tenure Track into the Tenure Track in the GSN on recommendation of the Dean, following review by the GSN Tenure Committee, and approval by the Provost.

Individuals are appointed in the Tenure Track at the rank of Assistant Professor, Associate Professor, or Professor, according to the eligibility and criteria for these ranks (Sections 3.6–3.9). Individuals appointed in the Tenure Track must have an academic record that indicates a high likelihood that they will meet the criteria for Tenure by the end of their Probationary Period.

- b. **Employment Terms and Conditions.** Individuals appointed in the Tenure Track are Academically-Salaried UMMS-Employed Faculty (Section 5.2), UMMHC-Employed Faculty (Section 5.3), or Faculty Employed by a University-Approved External Foundation or Agency (Section 5.4), and are subject to the terms and conditions defined for Employed Faculty (Article 5). Appointment in the Tenure Track does not carry any assurance, explicit or implicit, of promotion or the eventual award of Tenure.
- c. **Probationary Period.** The Probationary Period is usually eight years from the date of initial appointment in the Tenure Track. The last year of the Probationary Period is the Tenure Decision Year during which a Faculty Member must be reviewed for the award of Tenure. The Tenure Decision Year is designated at the time of appointment in the Tenure Track by written agreement between the Faculty Member and, as applicable, the chair, dean, and Provost. If the length of the Probationary Period is changed (Sections 4.5.d, 4.5.e), a new Tenure Decision Year is designated.
- d. **Early Tenure.** A Faculty Member may be considered for the award of Tenure prior to their designated Tenure Decision Year by written agreement between the Faculty Member and (as

applicable) the chair, dean, and Provost. This agreement must designate a new Tenure Decision Year.

- e. **Extension of the Probationary Period.** A Faculty Member may submit a written request to extend the Probationary Period at any time prior to the start of the Faculty Member's Tenure Decision Year. In the SOM, the request is submitted to the chair; in the GSN, the request is submitted to the GSN Dean. An extension may be requested in the following circumstances:

- i. When the individual is assigned clinical, educational and/or administrative duties that total more than 25% of their time and effort;
- ii. When the individual is granted an approved leave with or without pay (Section 5.7 and 5.8);
- iii. When the individual temporarily transfers from full-time to part-time employment; or
- iv. In other compelling circumstances, as determined in the sole discretion of the Provost.

Extensions are usually requested in increments of 1–2 years but multiple or longer extensions may be requested. The Probationary Period including all extensions must not exceed a total of 12 years.

The chair or GSN Dean reviews the request and, if approved, makes a recommendation to the SOM Dean and Provost (as applicable). If the Provost approves the request, a new Tenure Decision Year is confirmed by written agreement between the Faculty Member and, as applicable, the chair, dean, and Provost. Subject to the terms and conditions listed above, a Faculty Member's request for an extension must not be unreasonably refused and must not adversely affect the final tenure decision.

- f. **Transfer into the Non-Tenure Track.** A Faculty Member may submit a written request to transfer from the Tenure Track into the Non-Tenure Track. In the SOM the request is submitted to the chair; in the GSN the request is submitted to the GSN Dean. The chair or GSN Dean reviews the request and, if approved, makes a recommendation to the SOM Dean and Provost (as applicable). If the Provost approves the request, the transfer is made by written agreement between the Faculty Member and, as applicable, the chair, dean, and Provost.

A Faculty Member who has transferred out of the Tenure Track may submit a written request to the chair or GSN Dean to transfer back into the Tenure Track. The chair or GSN Dean reviews the request and, if approved, makes a recommendation to the SOM Dean and Provost (as applicable). If the Provost approves the request, the transfer and designation of the Tenure Decision Year is confirmed by written agreement between the Faculty Member and, as applicable, the chair, dean, and Provost.

- g. **Promotion.** A Faculty Member may be promoted during the Probationary Period prior to the award of Tenure according to the specific criteria for promotion of Faculty Members in the Tenure Track (Sections 3.8.c and 3.9.c) and procedure for promotion (Sections 3.12 and 3.13). Individuals must be at the rank of Associate Professor or Professor to be considered for the award of Tenure.
- h. **Mini-Tenure Review.** A Faculty Member appointed in the Tenure Track with a Probationary Period must receive a formative evaluation of their progress toward the award of Tenure during the fourth year of their Probationary Period ("Mini-Tenure Review"). This evaluation is not included in the Tenure Dossier and does not affect review of the candidate for the award of Tenure, either positively or adversely.

A Mini-Tenure Review is conducted in the SOM by the chair and Department Tenured Faculty (in the GSN by the Dean and GSN Tenured Faculty), and, if applicable, the director of a Non-Department Unit. If the Department or the GSN has fewer than five Tenured Faculty Members, the chair or GSN Dean, in consultation with the candidate, appoints Tenured Faculty Members from other Departments or Schools so as to provide at least five reviewers.

On notification by the Provost's designee for faculty affairs, a Faculty Member submits to the chair or GSN Dean a curriculum vitae and any other materials that the Faculty Member believes are relevant to their progress toward meeting the criteria for Tenure (Section 4.2). The chair or GSN Dean, the Tenured Faculty Members, and, as applicable, the director of a Non-Department Unit, review the Faculty Member's materials, and provide a written evaluation of the Faculty Member's progress toward meeting the criteria for Tenure and suggestions that might facilitate the award of Tenure. The chair or GSN Dean meets with the Faculty Member to discuss the evaluation. A copy of the evaluation is provided to the Faculty Member and is submitted to the Provost's designee for faculty affairs.

Section 4.6 Tenure Committees

- a. **Department Tenure Committee.** Each Department with Faculty appointed in the Tenure Track must establish a Department Tenure Committee to review and evaluate candidates for the award of Tenure and make recommendations to the chair. The Committee members are selected by the chair and approved by a simple majority vote of the Department Faculty. The Committee should consist of at least three Tenured Faculty Members with primary appointments in the Department, preferably at the rank of Professor. Members should serve for three year terms and may serve for multiple terms. If the Department has fewer than three Tenured Faculty Members, the DPAC (Section 3.10.b), with the addition of all Tenured Department Faculty, reviews candidates for the award of Tenure. The chair cannot serve as a voting member of the Committee or participate in its deliberations. Committee decisions are made by a simple majority of the voting members present at a meeting where a quorum is declared (Section 1.7.c).
- b. **School Tenure Committee.** Each School with Faculty appointed in the Tenure Track must establish a School Tenure Committee to review and evaluate candidates for the award of Tenure and make recommendations to the dean and Provost. The membership of the Committee, and its advising and reporting responsibilities are defined in the Bylaws of each School. Operating procedures are defined in the Bylaws of the Committee. Committee decisions are made by a simple majority of the voting members present at a meeting where a quorum is declared (Section 1.7.c). This Committee may also be involved in the Periodic Multi-Year Review of Tenured Faculty (Section 4.14) and Termination of Tenured Faculty (Section 4.15).

Section 4.7 Tenure Dossier.

The Tenure Dossier is the compilation of all materials relevant to the evaluation of a candidate for the award of Tenure. The Tenure Dossier consists of the following components:

- a. Materials provided by the candidate:
 - i. A current curriculum vitae in the UMMS format;
 - ii. Evidence of effectiveness in educational activities, such as teaching evaluations;
 - iii. A narrative statement that describes the candidate's scholarly activities and future goals;
 - iv. Up to five scholarly works that the candidate feels represent their best scholarship; and

- v. Any other materials that the candidate believes are relevant for consideration.
- b. Materials added through the procedures for the Award of Tenure (Sections 4.8 and 4.9):
 - i. Letters of evaluation (Section 4.8.b) and a list of the individuals solicited for letters;
 - ii. Written recommendation by the Department Tenure Committee (SOM only; Section 4.8.c);
 - iii. Written recommendation by the chair of the candidate's primary department (SOM only; Section 4.8.d); and
 - iv. Written recommendations by others (chairs, the GSN Dean, or directors of Non-Department Units, as applicable; Section 4.8.d).

Such materials, including the identity of letter writers and ad hoc reviewers, are considered confidential, are only used in the review of the candidate for tenure, and must not be communicated to the candidate (Section 1.7.b).

Section 4.8 Procedure for the Award of Tenure in the School of Medicine

This procedure applies to all candidates who are considered for the award of Tenure in the SOM. The review of the candidate's qualifications for tenure is based on relevant activities over the entire course of their academic career.

- a. **Initiation of Procedure.** At least three months before the start of the candidate's Tenure Decision Year, the chair requests the candidate to submit the following:
 - i. Materials to be included in the candidate's Tenure Dossier (Section 4.7.a): curriculum vitae, evidence of educational effectiveness, narrative statement, scholarly works, and any other relevant materials;
 - ii. A list of individuals to be considered for solicitation of letters of evaluation (Section 4.8.b); and
 - iii. A list of individuals (UMMS and non-UMMS) to be considered as ad hoc reviewers (Section 4.8.f.iii). Individuals who write letters of evaluation cannot serve as ad hoc reviewers.
 - iv. Optional: a list, with a written justification, of individuals, including voting members of the School Tenure Committee, whom the candidate feels may have a real or perceived conflict of interest or bias in the evaluation of the candidate.
- b. **Letters of Evaluation.** Letters of evaluation provide information for the evaluation of a candidate's contributions, achievements, and academic reputation. The chair selects the individuals to be solicited for letters of evaluation. In selecting these individuals, the chair must take into consideration the lists of individuals provided by the candidate. The chair may add or subtract individuals as they deem appropriate but must include at least two individuals proposed by the candidate. The chair or their designee solicits the letters, which are added to the candidate's Tenure Dossier. All letters received must be included in the Tenure Dossier, which must also include a list of all individuals solicited for letters of evaluation. Letters of evaluation are categorized as follows:
 - i. **Category 1.** Letters (no defined number) may be from any individual who can attest to the candidate's qualifications. Such individuals may be UMMS Faculty Members, colleagues at the same or previous institution, or past or present mentors, supervisors or collaborators.
 - ii. **Category 2.** At least five (5) letters must be from individuals who are not UMMS Faculty

Members. Such individuals should not have a personal and/or professional relationship with the candidate that suggests a real or perceived conflict of interest or bias in evaluating the candidate. For example, the individual should not be a personal friend or relative, a close colleague at the same or previous institution, or a past or present mentor, supervisor or collaborator (as demonstrated by co-authored papers or joint funding).

- iii. **Category 3.** Optional: letters (no defined number) attesting to the candidate's effectiveness in their educational activities may be solicited from students, trainees and/or mentees proposed by the candidate.
- c. **Department Review.** The Department Tenure Committee reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the criteria for Tenure (Section 4.2). The recommendation is reached by a simple majority vote of the Committee, conducted by secret ballot of the voting members present. The recommendation, which must include the vote tally and the names of Committee members participating in the vote, is added to the Tenure Dossier.
- d. **Chair Review.** The chair reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the criteria for Tenure. The recommendation is added to the Tenure Dossier, which the chair submits to the Provost's designee for faculty affairs. For a candidate who has a joint or secondary appointment in another Department or in the GSN, or who has a position in a Non-Department Unit, the chair, GSN Dean or director of the Non-Department Unit must either co-sign the chair's recommendation or provide a separate written recommendation for or against the award of Tenure. The chair must inform the candidate of their recommendation and the recommendation of the Department Tenure Committee prior to submission of the candidate's Tenure Dossier to the Provost's designee for faculty affairs. The chair also informs the candidate of subsequent recommendations and decisions.
- e. **School Tenure Committee Review.** The Provost's designee for faculty affairs determines the completeness of the candidate's Tenure Dossier and submits the Tenure Dossier to the School Tenure Committee.
 - i. **Conflict of Interest.** School Tenure Committee members who have voted in the Department review of the candidate may participate in the Committee review but are not allowed to vote. Individuals who have a real or perceived conflict of interest or bias (Section 1.7.a), as determined by the Chair(s) of the School Tenure Committee, are excused from participation in the review of the candidate.
 - ii. **Preliminary Review.** The School Tenure Committee conducts a preliminary review of the candidate's Tenure Dossier, in order to identify and request any additional information deemed necessary by the Committee. Such requests are managed by the Provost's designee for faculty affairs.
 - iii. **Selection of *Ad Hoc* Reviewers.** The School Tenure Committee selects up to three individuals to serve as *ad hoc* voting members of the Committee in the review of the candidate. The *ad hoc* members must have an appropriate level of professional accomplishment and expertise in the candidate's field to evaluate the candidate, must hold tenure or its equivalent, and must be able to provide unbiased assessments. At least one *ad hoc* member must not be a UMMS Faculty Member.

In selecting *ad hoc* members, the School Tenure Committee must take into consideration individuals whom the candidate has proposed as *ad hoc* members (Section 4.8.a.iii), as well as those identified as having a real or perceived conflict of interest or bias in the review of the candidate (Section 4.8.a.iv).

For candidates who at the time of their initial hire are considered for Appointment with Tenure (Section 4.10) or Appointment with Term Tenure (Section 4.11), the School Tenure Committee may select up to two Tenured members of the Search Committee for the candidate to serve as *ad hoc* members of the School Tenure Committee; in which case, the requirement for an external *ad hoc* School Tenure Committee member is waived.

- iv. **Formal Review.** The School Tenure Committee, including the *ad hoc* members, reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the criteria for Tenure. The recommendation is determined by a simple majority vote of the voting members of the Committee present, conducted by secret ballot. The Committee chair submits the recommendation, which must include the vote tally and the names of Committee members participating in the vote, to the Provost's designee for faculty affairs, who adds the recommendation to the candidate's Tenure Dossier.

The Provost's designee for faculty affairs informs the Department chair of the recommendation of the School Tenure Committee. If the Committee's recommendation is contrary to the chair's recommendation, the chair may provide clarification or additional information for the candidate's Tenure Dossier, which the Provost's designee for faculty affairs submits to the School Tenure Committee. The Committee reviews the Tenure Dossier with the additional information and submits to the Provost's designee for faculty affairs a second written recommendation either confirming or altering the original recommendation. The Provost's designee for faculty affairs informs the chair of the Committee's recommendation.

- f. **Dean Review.** The Dean reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the criteria for Tenure. The recommendation is added to the Tenure Dossier.

If the Dean intends to make a recommendation different from that of the School Tenure Committee, then the Dean must first meet with the School Tenure Committee for consultation to provide an opportunity for full and candid discussion of the divergent recommendations, following which the Dean makes a written recommendation.

If the positions of Dean and Provost are held by the same individual, the Provost's designee for faculty affairs submits the candidate's Tenure Dossier to the Chancellor for review (Section 4.7.h). Otherwise, the Provost's designee for faculty affairs submits the Tenure Dossier to the Provost for review.

- g. **Provost Review.** The Provost reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the criteria for Tenure. The recommendation is added to the Tenure Dossier, which the Provost's designee for faculty affairs submits to the Chancellor.
- h. **Chancellor Review.** The Chancellor reviews the candidate's Tenure Dossier and provides a written recommendation for or against the award of Tenure based on the criteria for Tenure. The

recommendation is added to the Tenure Dossier and the Provost's designee for faculty affairs informs the chair of the Chancellor's recommendation.

If the Chancellor supports the award of Tenure, the Chancellor submits the candidate's Tenure Dossier to the President of the University of Massachusetts System. If the Chancellor does not support the award of Tenure, the Chancellor informs the Provost, Dean and chair, and notifies the candidate in writing that the award of Tenure has been denied and that their position in the Tenure Track will terminate one year from the date of notification of denial of Tenure.

- i. **Disposition by President.** The President of the University of Massachusetts System, acting in accordance with the responsibilities defined in Section 1.1, reviews the candidate's Tenure Dossier and decides whether or not to award Tenure. The decision to award Tenure is made by the President with the concurrence of the Board of Trustees.

Prior to a negative decision that would be contrary to the recommendation of the Chancellor, the President must invite the Chancellor to provide additional information for the Tenure Dossier or to further explain the recommendation. If the President decides not to award Tenure, they inform the Chancellor, who notifies the candidate in writing that the award of Tenure has been denied and that their position in the Tenure Track will terminate one year from the date of notification of denial of Tenure.

- j. **Withdrawal from Candidacy.** A candidate in the Tenure Track may submit a written request to the chair at any time during their Tenure Decision Year to withdraw their candidacy for the award of Tenure. If the chair approves the request, they notify the candidate in writing that their position in the Tenure Track will terminate one year from the date of withdrawal from candidacy.
- k. **Transfer into the Non-Tenure Track.** A Faculty Member who has withdrawn from candidacy for Tenure or who has been denied the award of Tenure may request transfer into the Non-Tenure Track (Section 4.5.f) during the one-year period of notice of termination of their position in the Tenure Track. Such transfers are not automatic and require approval of the chair, SOM Dean or GSN Dean (as applicable), and Provost.

Section 4.9 Procedure for the Award of Tenure in the Graduate School of Nursing (GSN)

Faculty Members with primary appointments in the GSN are reviewed for the award of Tenure by the same procedure as described for the School of Medicine (Section 4.8) with the following differences:

- a. The GSN Dean and/or their designee performs the actions described for the chair in Section 4.8. There is no department Tenure Committee or chair review.
- b. The GSN Dean and/or their designee submits the candidate's Tenure Dossier to the Provost's designee for faculty affairs who reviews the Dossier for completeness.
- c. The Provost's designee for faculty affairs submits the candidate's Tenure Dossier to the GSN Tenure Committee. The Committee makes a written recommendation for or against the award of Tenure based on the criteria for Tenure (Section 4.8.e).
- d. The GSN Dean reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the criteria for Tenure (Section 4.8.f). If the Dean intends to make a recommendation different from that of the GSN Tenure Committee, then the Dean must first meet with the GSN Tenure Committee for consultation to provide an opportunity for full and candid discussion of the divergent recommendations, following which the Dean makes their written recommendation.

Subsequent actions are as described for the School of Medicine (Sections 4.8.g–k).

Section 4.10 Appointment with Tenure

- a. **Eligibility.** Usually, Appointment with Tenure is limited to individuals who hold tenure (or its equivalent) at another institution. Individuals who are not Tenured, including UMMS Faculty in the Non-Tenure Track, may be considered for Appointment with Tenure, subject to the availability of a Tenure position approved by the dean and Provost.
- b. **Procedure.** Individuals are proposed for Appointment with Tenure on recommendation by the chair or GSN Dean (as applicable) and approval through the procedures for appointment (Sections 3.12 and 3.13) and for the award of Tenure (Sections 4.8 and 4.9). If the individual withdraws their candidacy, they may accept a position in the Non-Tenure Track or in the Tenure Track with a Probationary Period or they may resign their position. If the individual is denied Tenure, they may accept a position in the Non-Tenure Track or they may resign their position.

Section 4.11 Appointment with Term Tenure

- a. **Guarantees.** Appointment with Term Tenure guarantees:
 - i. Continuing employment as an Academically-Salaried Faculty Member with an Academic Salary for a defined period, usually seven years, subject only to termination by UMMS for “Cause” (Section 4.15) during that period;
 - ii. Academic freedom (Section 1.4) within the defined missions of UMMS; and
 - iii. Academic Salary (Section 4.3.c).
- b. **Eligibility.** Usually, Appointment with Term Tenure is limited to individuals who hold tenure (or its equivalent) at another institution. Individuals who are not Tenured, including UMMS Faculty in the Non-Tenure Track, may be considered for Appointment with Term Tenure, subject to the availability of a Term Tenure position approved by the dean and Provost. UMMS Faculty Members appointed in the Tenure Track with a Probationary Period are not eligible for Term Tenure.
- c. **Procedure.** Individuals are proposed for Appointment with Term Tenure on recommendation by the chair or GSN Dean (as applicable) and approval through the procedures for appointment (Sections 3.12 and 3.13) and for the award of Tenure (Sections 4.8 and 4.9). If the individual withdraws their candidacy, they may accept a position in the Non-Tenure Track or in the Tenure Track with a Probationary Period or they may resign their position. If the individual is denied Tenure, they may accept a position in the Non-Tenure Track or they may resign their position.
- d. **Extension.** A Faculty Member may submit a written request to extend their Appointment with Term Tenure for up to three years. In the SOM, the request is submitted to the chair; in the GSN, the request is submitted to the GSN Dean. The chair or GSN Dean reviews the request and, if approved, makes a recommendation to the SOM Dean and Provost (as applicable). If the Provost approves the request, the appointment is extended by written agreement between the Faculty Member and, as applicable, the chair, dean and Provost.
- e. **End of Term.** At the expiration of the Term Tenure appointment or if a request for extension of the appointment is not approved by the chair, dean or Provost, the individual’s employment and appointment at UMMS ends, and there is no form, measure or payment of any “notice” to the individual. Prior to termination, the individual may request transfer to the Non-Tenure Track (Section 4.5.f); such transfers are not automatic and require approval of the chair or GSN Dean, and consultation with the SOM Dean and Provost, as applicable.

Section 4.12 Annual Performance Review (APR) of Tenured Faculty

The performance of a Tenured Faculty Member is evaluated annually through the APR (Section 5.5) by the chair, director of a Non-Department Unit or dean (as applicable, Section 3.3). If a Tenured Faculty Member receives a rating of unsatisfactory in their APR, the chair, director, SOM Dean, GSN Dean or Provost (as applicable) may take a more active role in assigning tasks (such as increased administration, teaching and/or clinical activity) such that the Faculty Member could contribute at the expected level.

Section 4.13 Reduction in Academic Salary of Tenured Faculty

This procedure is invoked when a Tenured Faculty Member receives repeated ratings of unsatisfactory in their APR. The procedure must not be used to limit the Faculty Member's academic freedom (Section 1.4), to constrain the Academic Activities of a Tenured Faculty Member, or to address the fiscal concerns of the Department, UMMS, or University of Massachusetts. The salary of a Tenured Faculty Member can only be reduced under the conditions described below.

- a. **Reduction in Salary.** If a Tenured Faculty Member receives ratings of unsatisfactory in their APR for any three consecutive years or for any three years in a consecutive four year period, their salary may be reduced in the following year to an amount that is 95% of their current Academic Salary. The chair, GSN Dean or director of a Non-Department Unit (as applicable) provides written notification to the Faculty Member of the amount of the salary reduction and the effective date of the reduction.

If the Faculty Member continues to receive ratings of unsatisfactory in their APR in subsequent consecutive years, their salary may be reduced further in two annual steps to amounts that are 85% and 75%, respectively, of their Academic Salary prior to any reductions. Salaries cannot be reduced below 75% of Academic Salary.

If the Faculty Member disagrees with a salary reduction the matter is brought to the Provost's designee for faculty affairs for consultation and resolution. If there is continuing disagreement, the Faculty Member may seek resolution as defined in the Rights of Members of the Faculty in Academic Personnel Matters (Section 1.8).

- b. **Restoration of Salary.** If a Faculty Member whose salary has been reduced receives a rating of satisfactory in their APR, their salary is restored to at least the level that existed prior to any reduction. A Faculty Member whose salary is restored is eligible to receive any general (non-merit) salary increases that occurred during the period of salary reduction.

Section 4.14 Periodic Multi-Year Review (PMYR) of Tenured Faculty

The purpose of the PMYR is to evaluate the performance and goals of Tenured Faculty Members over a longer time period than the Annual Performance Review (Section 4.12) and foster the continued professional development and high levels of performance in Academic Activities expected of the Tenured Faculty (Section 4.4). Tenured Faculty Members must be evaluated by a PMYR in the seventh academic year following either the date of award of Tenure, the most recent promotion, or the most recent PMYR.

The procedure described herein applies to the SOM. The same procedure is followed in the GSN with the exception that the actions described herein for the chair and the SOM Dean are performed by the GSN Dean and Provost, respectively.

- a. **PMYR Procedure.** The chair conducts the PMYR for all Tenured Faculty Members with a primary appointment in their Department. If a Faculty Member holds a position in a Non-Department Unit, the chair must seek input from the director of that Unit.

- i. The chair requests the Faculty Member to submit a curriculum vitae and a PMYR statement that summarizes their activities during the previous seven years and describes their long term goals (5–7 years) for scholarship, education and service, including any resources required to accomplish these goals.
- ii. The chair reviews the Faculty Member’s curriculum vitae, PMYR statement, and their APRs for the previous seven years, and provides a written evaluation of the Faculty Member’s past performance and proposed long term goals. This evaluation may include needs for professional development, new initiatives or changes in direction that will benefit the Faculty Member and UMMS and foster continued high levels of performance in Academic Activities (Section 4.4).

The chair makes a decision to accept or revise the Faculty Member’s PMYR statement as follows:

- a) A decision to accept the PMYR statement is made when the chair determines that no changes in the Faculty Member’s proposed activities and goals are required in order to promote their professional progress and continued high levels of performance in Academic Activities (Section 4.4).
- b) A decision to revise the PMYR statement is made when the chair determines that changes in the Faculty Member’s proposed activities and goals are required in order to promote their professional progress and continued high levels of performance in Academic Activities (Section 4.4).

The evaluation and decision are provided to Faculty Member, who acknowledges receipt by signature and may provide a response.

If the chair decides to accept the PMYR statement, the chair forwards their evaluation and decision to the Dean and the Provost’s designee for faculty affairs, and the review is concluded.

- iii. If the chair decides that the PMYR statement requires revision, the chair must meet with the Faculty Member to discuss ways to optimize the Faculty Member’s contributions through a revised PMYR statement. The Faculty Member may present any supplemental documentation of their performance at this meeting. The intent of the revision is to support and encourage the Faculty Member’s continued professional development and high levels of performance in Academic Activities (Section 4.4). It must not impinge on the Faculty Member’s academic freedom (Section 1.4). Opportunities for professional development may include, but are not limited to, consultation with colleagues to assist in problem areas, a change in department assignments to facilitate improvement in teaching, research or service, or a sabbatical leave.

Following this meeting, the Faculty Member submits a revised PMYR statement to the chair.

- iv. The chair reviews the revised PMYR statement and decides whether or not to accept the statement.

If the chair decides to accept the revised PMYR statement, the chair forwards their decision to the Dean and the Provost’s designee for faculty affairs, and the review is concluded.

If the chair decides not to accept the revised PMYR statement, they must state their reasons in writing, and further action must be taken as described below.

b. **Further Action.** If the chair and Faculty Member cannot reach agreement on the PMYR statement, the chair notifies the Dean and the matter is brought to the Provost's designee for faculty affairs for consultation and resolution.

- i. Following this consultation, if the Faculty Member and chair reach agreement on the PMYR statement, the Dean is notified and the review is concluded.

If agreement is not reached, the Provost's designee for faculty affairs refers the matter to the School Tenure Committee. The Committee reviews the Faculty Member's curriculum vitae, PMYR statements, APRs for the previous seven years (with the agreement of the Faculty Member) and evaluations by the chair. The Committee submits a written recommendation to the Provost's designee whether to accept or modify the revised PMYR statement. The Provost's designee provides the Committee's recommendation to the Faculty Member and chair.

- ii. If the Faculty Member and the chair mutually accept the recommendation of the Tenure Committee, the Dean is notified and the review is concluded.

If the Faculty Member and chair do not mutually accept the recommendation of the School Tenure Committee, the matter is referred to the Dean. The Dean reviews the Faculty Member's curriculum vitae, PMYR statements, APRs for the previous seven years, evaluations by the chair, and recommendation by the Tenure Committee. The Dean may consult with the Faculty Member and chair in making a decision. The Dean provides a written statement that defines the goals and expectations for evaluation of the Faculty Member's performance through subsequent APRs. This statement may include a reallocation of the Faculty Member's effort but must not impinge on their academic freedom (Section 1.4). The statement is signed by the Faculty Member and chair to acknowledge receipt. The Dean's decision is final: no further action is taken and the review is concluded.

- iii. If the Faculty Member does not agree with the Dean's decision, the Faculty Member may seek resolution as defined in the Rights of Members of the Faculty in Academic Personnel Matters (Section 1.8).

Section 4.15 Termination of Tenured Faculty

The employment and appointment of a Tenured Faculty Member can only be terminated by UMMS for "Cause" (Section 1.9) by the procedure described herein.

a. **General Actions.** With respect to the procedure described herein:

- i. **Conflict of Interest.** If any individual involved in this procedure has a real or perceived conflict of interest (Section 1.7.a), they must disclose same to the Provost's designee for faculty affairs. A review must be conducted by the Chancellor or their designee to determine whether there is a conflict and, if a conflict exists, to select a replacement for the individual to serve the functions described herein.
- ii. **Administrative Leave.** If the Provost determines at any time that the Faculty Member may reasonably pose a threat to the campus community or patient safety, the Provost may place the Faculty Member on Administrative Leave (Section 5.8).
- iii. **Advisors.** The Faculty Member and Provost may each designate an individual (who may be an attorney) to serve as their "Advisor" to provide advice and support during the process. The Advisors must act only in an advisory capacity. They may accompany the Faculty Member or

Provost to any meetings or hearings but must not speak on behalf of the Faculty Member or Provost or otherwise participate in any meetings or hearings.

- b. **Informal Resolution.** A complaint about the conduct of a Tenured Faculty Member may be brought to the Provost at any time. If the Provost determines that the complaint may constitute grounds for termination for “Cause” (Section 1.9), the Provost provides written notification of the matter to the Faculty Member and, as applicable, the chair, SOM Dean and GSN Dean, and charges the chair or GSN Dean to review the matter, meet with the Faculty member and attempt to seek a resolution. If the Faculty Member holds a position in a Non-Department Unit, the director of that Unit must also be notified by the Provost and must work with the chair or GSN Dean in seeking resolution of the matter. The chair or GSN Dean may request that the Department Tenure Committee or GSN Tenure Committee (as applicable) review the matter and provide a recommendation on resolution. The chair or GSN Dean may also seek guidance from or consult with other Faculty Members and administrators. Depending on the nature of the complaint, other UMMS Departments or offices may be obligated to review the matter and may conduct their own independent investigations.

Within 20 working days following notification by the Provost, the chair or GSN Dean must provide a written report to the Provost and the Faculty Member describing the results of efforts to seek resolution. The chair or GSN Dean must also advise if there is a proposed agreed-upon resolution, or if no resolution was able to be reached. If the Faculty Member holds a position in a Non-Department Unit, the report is also provided to the director of the Unit.

If the positions of SOM Dean and Provost are held by different individuals, the chair first submits the report to the SOM Dean. Within 10 working days of receipt, the Dean must review the report, and if a proposed resolution has been offered, add a statement whether such resolution of the matter is acceptable or not acceptable, and submit the report to the Provost.

- c. **Provost’s Decision on Informal Resolution.** Within 10 working days after receipt, the Provost must review the report and provide written notification to the Faculty Member and, as applicable, the chair, dean, and director of their decision as described below.
- i. If the chair or GSN Dean proposes a resolution of the matter, the Provost decides whether this resolution is acceptable or not acceptable. If the Provost agrees with the proposed resolution, the matter is closed.
 - ii. If the Provost does not agree with the proposed resolution or if the chair or GSN Dean states that the matter could not be resolved, the Provost charges a designee to conduct an inquiry of the matter.
- d. **Inquiry.** On receipt of the charge by the Provost, the Provost’s designee conducts an inquiry of the matter, including, but not limited to, the following actions:
- i. Conduct a fair and thorough inquiry and consider any and all relevant documentary and testimonial evidence;
 - ii. Request an interview with the Faculty Member and, if the Faculty Member agrees, interview the Faculty Member;
 - iii. Request the Provost and the Faculty Member to submit any documentary evidence and the names of any relevant witnesses;

- iv. Make a good-faith effort to contact all relevant witnesses and obtain information about the matter; and
- v. Compile all documentary and testimonial evidence in a “Case Record”.

Within 45 working days of receipt of the charge from the Provost, the Provost’s designee must complete a written report of the inquiry, which is included in the Case Record, and forward the Case Record to the Provost.

- e. **Provost’s Decision on the Inquiry.** Within 10 working days after receipt of the Case Record, the Provost must review the Case Record and determine whether or not there are sufficient grounds to support potential termination of the Faculty Member for “Cause”.

If the Provost decides that there are insufficient grounds for such termination, the matter is closed. If the Provost decides that there are sufficient grounds to support such a potential termination, the Provost charges the appropriate School Tenure Committee to convene a Hearing Committee.

The Provost provides written notification of the decision to the Faculty Member and the Provost’s designee for faculty affairs and as applicable, the chair, dean, and director of a Non-Department Unit. The Provost’s written decision is added to the Case Record. The Provost’s designee for faculty affairs provides the Faculty Member with a copy of the Case Record.

- f. **Selection of the Hearing Committee.** Within 20 working days after receipt of the Provost’s charge, the Hearing Committee must be selected. The Hearing Committee consists of five voting members and two alternate members, selected from the School Tenure Committee and Tenured UMMS Faculty Members as follows.
 - i. The Chair of the School Tenure Committee contacts the members of the Tenure Committee to determine their availability to serve on the Hearing Committee and whether they may have any real or perceived conflicts of interest (Section 1.7.a). The Chair of the School Tenure Committee may excuse individuals from service for illness, absence during the hearing period, or conflict of interest.
 - ii. The Chair of the School Tenure Committee selects the five voting members and the two alternate members of the Hearing Committee by random draw from the available members of the School Tenure Committee and provides the list to the Faculty Member and Provost. The Faculty Member and/or the Provost may challenge a selected individual and state the grounds for challenge. The Chair of the School Tenure Committee rules on the challenge based on the standard that the individual must be able to render a fair and impartial recommendation, especially if the individual has prior knowledge of the case and/or a personal, professional or financial relationship (excluding employment with UMMS/UMMHC) with either party (Section 1.7.a). If the Chair agrees with a challenge, the individual is removed from the list and replaced by an individual selected by random draw from the remaining available members of the Tenure Committee. The replacement individual may similarly be challenged by the Faculty Member or Provost.
 - iii. If there are insufficient members of the School Tenure Committee to form the Hearing Committee, individuals are selected by random draw from UMMS Tenured Faculty, not including chairs, deans, directors of Non-Department Units or other administrators. The process of selection, including the opportunity for challenge, continues until five voting members and two alternate members have been identified.

- iv. The Chair of the School Tenure Committee selects by random draw the Chair of the Hearing Committee from the five voting members.
- g. **Scheduling of the Hearing.** Once the Hearing Committee has been selected, the Hearing must be scheduled within 30 working days. The Provost's designee for faculty affairs must inform the Faculty Member and Provost that they may submit documentary evidence, witness statements or introduce witnesses at the Hearing. If they elect to do so, they must identify and submit such evidence to the Provost's designee for faculty affairs, no later than 10 working days prior to the date of the Hearing. The Provost's designee for faculty affairs provides this documentation and information to the other party.
- h. **Conduct of the Hearing.** The Hearing is conducted as follows:
 - i. The Chair of the Hearing Committee is in charge of all proceedings of the Hearing. The five voting members and the two alternate members of the Hearing Committee attend all proceedings, but the alternate members are not involved in deliberations or recommendations. If a voting member of the Committee is unable to continue, the Chair of the Committee randomly selects an alternate member to serve.
 - ii. The two "Parties" in the Hearing are the Faculty Member and the Provost. The Faculty Member may be present at all meetings of the Committee where evidence is received or testimony heard and may be accompanied by their Advisor. The Provost may identify a Designee to represent the Provost at the Hearing; the Designee cannot be an attorney.
 - iii. The Hearing is closed, except for the following individuals: the Hearing Committee; the Faculty Member and their Advisor; the Provost or their Designee and their Advisor; any designated witnesses; and the individual charged to conduct the inquiry.
 - iv. All documentation introduced during the Hearing is included in the Case Record. The Hearing Committee is not bound by the rules of legal evidence and may admit any evidence (testimonial or documentary) that it deems to be of value to their deliberations. A recording of the Hearing must be made and a written transcript is included in the Case Record.
 - v. Members of the Hearing Committee may ask questions of either Party and any witness brought by either Party. The Parties are not allowed to ask questions of the other Party or cross-examine witnesses. The Hearing is conducted as described below.
 - a) The Hearing Committee Chair opens the Hearing and describes the sequence and conduct of the proceedings. The Chair may be assisted, procedurally, by the Associate Vice Chancellor for Management or their designee.
 - b) The individual charged with conducting the inquiry (Section 4.15.c.ii) presents and summarizes the Case Record.
 - c) The Provost or their Designee may present and summarize any additional documentary evidence and testimony by witnesses, subject to the 10 day notification period (Section 4.15.g). The Provost or their Designee may also offer their view of the matter.
 - d) The Faculty Member may present and summarize any documentary evidence and testimony by witnesses, subject to the 10 day notification period (Section 4.15.g). The Faculty Member may also offer their view of the matter.

- e) The Provost or their Designee may respond to matters presented by the Faculty Member.
- f) The Faculty Member may respond to matters presented by the Provost or their Designee.
- g) The Parties may present closing statements.
- h) The Hearing Committee Chair adjourns the Hearing.

i. Recommendation by the Hearing Committee.

- i. Within 10 working days after the Hearing is adjourned, the Hearing Committee must determine by a majority vote of the Committee whether the alleged conduct of the Faculty Member meets the definition of termination for "Cause" (Section 1.9), supporting the Committee's recommendation for termination, and, if so, the section(s) of the definition of "Cause" that the Faculty Member allegedly violated. The burden of proof for this determination is "by a mere preponderance of the credible evidence" submitted in the Hearing, also defined as "more probable than not".

The Hearing Committee provides written notification of their findings and recommendation to the Provost's designee for faculty affairs, who adds the findings and recommendation to the Case Record.

- ii. If the Hearing Committee recommends not to terminate the Faculty Member, the Provost's designee for faculty affairs provides written notification to the Faculty Member, the chair, dean, Provost and Chancellor. The proceedings are concluded.
- iii. If the Hearing Committee recommends to terminate the Faculty Member, the Provost's designee for faculty affairs provides written notification of the recommendation to the Faculty Member and the Provost. Within 10 working days of receipt of the notification, the Faculty Member may submit a written response to the Provost's designee for faculty affairs, who adds it to the Case Record and submits the Case Record to the Chancellor.

j. Disposition by the Chancellor. If the Hearing Committee recommends to terminate the Faculty Member, the Chancellor shall review the Case Record and may consult with the Hearing Committee. The Chancellor must then take one of the following actions within 20 working days of the receipt of the Case Record.

- i. If the Chancellor does not agree with the recommendation of the Hearing Committee and decides not to terminate the Faculty Member, the Chancellor provides written notification of this decision to the Faculty Member, the chair, dean, Provost, Hearing Committee, and the Provost's designee for faculty affairs. The proceedings are concluded.
- ii. If the Chancellor agrees with the recommendation of the Hearing Committee, the Chancellor makes a recommendation to terminate the Faculty Member, which is added to the Case Record and submitted to the President of the University of Massachusetts System. The Chancellor also provides written notification of their recommendation to the Faculty Member, the chair, dean, Provost, Hearing Committee, and the Provost's designee for faculty affairs.

- k. **Disposition by the President.** The President of the University of Massachusetts System, acting in accordance with the responsibilities defined in Section 1.1, reviews the Case Record and decides whether or not to terminate the Tenured Faculty Member. Prior to a decision that would be contrary to the recommendation of the Chancellor, the President must invite the Chancellor to provide additional information or further explain their recommendation. The decision to terminate the Tenured Faculty Member is made by the President with the concurrence of the Board of Trustees. The decision is final.

ARTICLE 5. EMPLOYED FACULTY

This article defines the employment and appointment terms and conditions for Employed Faculty.

Section 5.1 Employment and Appointment

Employed Faculty are individuals who are primarily employed by UMMS, UMMHC, or a University-approved external foundation or agency, and who are appointed to the Faculty of UMMS. As defined in the UMW Governance Document (Doc. T03-035, as amended) and School Bylaws, Employed Faculty Members constitute the Faculty-at-Large of UMMS and the Faculty-at-Large of a School, respectively, for the purpose of voting and other rights.

The Faculty appointment of an Employed Faculty Member is contingent on continued employment by UMMS, UMMHC, or a University-approved external foundation or agency and ends coterminously with the termination of that employment, unless there is a written agreement to continue the appointment.

Section 5.2 UMMS-Employed Faculty

a. **Categories of Employment.** UMMS-Employed Faculty are designated in one of two categories:

- i. **Academically-Salaried Faculty.** Employees of UMMS who are hired into a Faculty position to conduct Academic Activities as a primary and independent responsibility.
- ii. **Professionally-Salaried Faculty.** Employees of UMMS who are hired into a Faculty position to provide services to support a research, educational or clinical area. This category includes, but is not limited to, research investigators, scientists in core facilities, and individuals hired to provide services under a Department/business unit or institutional contract with an external entity, such as a federal, state or private agency.

b. Terms of Employment

- i. Non-Tenured Faculty Members, including individuals appointed in the Tenure Track with a Probationary Period, serve at the pleasure of the University of Massachusetts Board of Trustees, acting by and through the President and/or Chancellor, and are considered “at-will” employees. Tenured Faculty Members have continuing employment subject only to termination for “Cause” by UMMS (Section 4.15).
- ii. Terms of employment for UMMS-Employed Faculty are governed by their letter of offer, which may specify the individual’s duties and expectations, employment category, Faculty appointment (including academic rank and track), benefits, and salary; and by the policies in this APP. These employment terms may be modified in accord with policies and procedures in this APP, as may be amended, and also by subsequent written agreement between the individual and UMMS.

Some employment terms and conditions may also be addressed in applicable University of Massachusetts policies and UMMS Office of Human Resources policies. Any conflict between these policies is resolved in the following order: this APP, applicable University of Massachusetts policies, and applicable UMMS Office of Human Resources policies. Notwithstanding the above, all terms of employment must be in accord with federal, state and local laws.

- c. **Recruitment.** Individuals are hired into Faculty positions in Departments, Schools or Non-Department Units. Recruitment and hiring of Faculty Members must be conducted according to UMMS procedure on Faculty Recruitment [UMMS Policy 04.05.00 Approved July 10, 2012, as amended].

d. **Termination “Not For Cause”.** Employment of a Non-Tenured UMMS-Employed Faculty Member may be terminated “Not For Cause” at any time for any reason that is not unlawful, by the chair, director of a Non-Department Unit, SOM Dean, or GSN Dean (as applicable) following notification of the Provost’s designee for faculty affairs and on prior written notification to the individual with the following notice:

i. Academically-Salaried Faculty:

- a) For those in their first year of employment, at least three months in advance of termination of employment.
- b) For those who have been employed for more than one year but less than two years, at least six months in advance of termination of employment.
- c) For those who have been employed for two years or more, at least twelve months in advance of termination of employment.

ii. Professionally-Salaried Faculty: at least 30 days in advance of termination of employment.

At the discretion of the chair, director or dean, the period of notice for any Faculty Member may be reduced by paying to the Faculty Member in a single payment an amount of money equal to one week’s salary for every week by which the notice is foreshortened.

Termination of employment terminates an individual’s Faculty appointment with the exception that such individuals may continue their appointment on recommendation by the chair or GSN Dean and with approval by the SOM Dean (if applicable) and Provost or their designee.

e. **Termination for “Cause”.** The employment of a Non-Tenured UMMS-Employed Faculty Member may be terminated effective immediately for “Cause” (Section 1.9) at any time by the chair, director of a Non-Department Unit, SOM Dean, or GSN Dean (as applicable), with review and approval by the SOM Dean (if applicable) and Provost on written notification to the Faculty Member. An individual who is terminated for cause is not entitled to the required notice or payment in lieu thereof. The Faculty appointment ends coterminously with termination of employment. The Faculty Member may seek resolution as defined in the Rights of Members of the Faculty in Academic Personnel Matters (Section 1.8).

The employment and appointment of a Tenured UMMS-Employed Faculty Member may only be terminated for “Cause” by UMMS following the procedure described in this APP (Section 4.15).

f. **Resignation.** A Faculty Member may resign their employment at any time by prior written notification to the chair, director of a Non-Department Unit, SOM Dean, or GSN Dean (as applicable) at the earliest possible opportunity but at least 90 days prior to the effective last date of employment. With the consent of the chair, director or dean, an earlier date may be agreed. Individuals are entitled only to any compensation owed up to the agreed date.

Resignation of employment terminates an individual’s Faculty appointment with the exception that such individuals may continue their appointment on recommendation by the chair or GSN Dean and with approval by the SOM Dean (if applicable) and Provost or their designee.

Section 5.3 UMMHC-Employed Faculty

a. **Terms of Employment and Appointment.** UMMHC-Employed Faculty are subject to the employment terms and conditions defined in their letter of offer and their employment contract with UMMHC, and by UMMHC policies and procedures. These individuals may also provide services to UMMS. The Faculty appointment of UMMHC-Employed Faculty is governed by the policies in this APP.

If the individual's employment agreement with UMMHC is terminated for any reason, their Faculty appointment and any services that the individual may be providing to UMMS also end coterminously, unless the individual has a new or continuing written agreement with UMMS or is a Tenured Faculty Member. UMMHC-Employed Tenured Faculty Members transfer employment to UMMS on termination of employment by UMMHC (Section 4.3).

- b. **Termination of Appointment.** The Faculty appointment of a Non-Tenured UMMHC-Employed Faculty Member may be terminated "Not For Cause" at any time for any reason that is not unlawful, by the chair, SOM Dean, or GSN Dean (as applicable) following notification of the Provost's designee for faculty affairs and on prior written notification to the individual at least 30 days prior to the date of termination of appointment.

The Faculty appointment of a Non-Tenured UMMHC-Employed Faculty Member may be terminated effective immediately for "Cause" (Section 1.9) at any time by the chair, SOM Dean, or GSN Dean (as applicable), with review and approval by the SOM Dean (if applicable) and Provost on written notification to the Faculty Member. Termination of the Faculty appointment of a Tenured UMMHC-Employed Faculty Member for "Cause" by UMMS must follow the procedure for Termination of Tenured Faculty (Section 4.15).

- c. **Resignation of Appointment.** A UMMHC-Employed Faculty Member may resign their Faculty appointment at any time by prior written notification to the chair, SOM Dean, or GSN Dean (as applicable) at the earliest possible opportunity but at least 90 days prior to the effective last date of appointment. With the consent of the chair or dean an earlier date may be agreed.

Section 5.4 Faculty Employed by a University-Approved External Foundation or Agency

Individuals primarily employed by contract with a University-approved external foundation (such as the Howard Hughes Medical Institute) or agency (such as the Veterans Administration) are subject to the employment terms and conditions defined in their contract with the foundation or agency. Their Faculty appointment is governed by the policies in this APP.

If the employment agreement of a Tenured Faculty Member with the foundation or agency is terminated, the individual transfers employment to UMMS and maintains their Faculty appointment (Section 4.3). If the employment agreement of a Non-Tenured Faculty Member with the external foundation or agency is terminated, the individual may transfer employment and may maintain their Faculty appointment with approval by the chair or GSN Dean (as applicable) and with review and approval by the SOM Dean (if applicable) and Provost.

Termination and resignation of the appointment of Faculty Employed by a University-Approved External Foundation or Agency are as described for UMMHC-Employed Faculty (Section 5.3).

Section 5.5 Annual Performance Review (APR)

The performance of all Employed Faculty Members must be evaluated through the APR.

- a. **APR Procedure.** The chair, director of a Non-Department Unit, SOM Dean or GSN Dean (as applicable, Section 3.3) must ensure that the performance of each Employed Faculty Member in their Department, Unit, or School respectively, is evaluated annually through the APR. At the discretion of the chair, director or dean, a Faculty Member may receive additional evaluations during a year.
 - i. The evaluation of a Faculty Member is conducted by a Primary Evaluator. The chair, director, SOM Dean or GSN Dean (as applicable) serves as the Primary Evaluator or may delegate the evaluation to other Faculty such as a division chief or vice chair.

- ii. A Faculty Member submits the following materials to their Primary Evaluator using the form distributed by the Provost's designee for faculty affairs: a list of their Academic Activities and accomplishments for the prior year, their assessment of the achievement of their goals for the prior year, and their proposed goals for the next year. These goals may address:
 - a) Activities in one or more of the Areas of Distinction (Section 2.2);
 - b) Service and leadership activities;
 - c) Targets for clinical productivity, grant funding or other metrics, including the portion of salary to be provided by the Faculty Member; and/or
 - d) Professional development and professionalism.
- iii. The Primary Evaluator reviews the Faculty Member's materials and provides a written evaluation of the Faculty Member's performance during the prior year and their proposed goals for the next year. This evaluation should include an assessment of the extent to which the Faculty Member met their goals for the previous year. The review may include an evaluation of the Faculty Member's progress toward promotion in rank and/or the award of Tenure, as appropriate.
- iv. The Primary Evaluator rates the Faculty Member's performance as satisfactory or unsatisfactory. A rating of unsatisfactory performance must be supported by documentation in the APR and is based on one or more of the following:
 - a) Failure to meet previously set goals;
 - b) Failure to perform assigned duties or responsibilities;
 - c) Repeated failure by the Faculty Member to respond to direction from the supervisor; and/or
 - d) Material violations of the employer's, Department's and/or other applicable and published policies, procedures, or codes of conduct.

Continued ratings of unsatisfactory may result in actions that include but are not limited to reduction in effort, reduction in salary, and termination of appointment and/or employment (as applicable).

- v. Other individuals with supervisory responsibilities (Section 3.3) may provide written evaluations of the performance of a Faculty Member.
 - vi. The Primary Evaluator meets with the Faculty Member to discuss their performance during the prior year and their goals for the next year. The discussion may include modification of these goals and the Faculty Member may submit modified goals following the meeting. They may also provide a written response to their evaluation. The Faculty Member signs their evaluation to acknowledge receipt.
 - vii. The chair, director of a Non-Department Unit, SOM Dean or GSN Dean (as applicable) reviews, approves the rating of performance, and submits to the Provost's designee for faculty affairs.
- b. **Further Action.** If the chair, director, SOM Dean or GSN Dean and the Faculty Member cannot reach agreement on the Faculty Member's APR, the matter must be brought to the Provost's designee for faculty affairs for consultation and resolution.

If there is continuing disagreement, the Faculty Member may seek resolution as defined in the Rights of Members of the Faculty in Academic Personnel Matters (Section 1.8).

Section 5.6 Sabbatical

The purpose of the sabbatical is to provide a Faculty Member with an uninterrupted opportunity to pursue scholarly activities, gain new skills and knowledge, and/or enhance their professional development. Faculty Members are expected to commit sufficient effort to complete the activities proposed for the sabbatical.

- a. **Eligibility.** All Employed Faculty are eligible for a sabbatical, with the exception of UMMS-Employed Professionally-Salaried Faculty (Section 5.2.a.ii). Eligible individuals must have at least six years of full or part time service as a UMMS Faculty Member, and must not have taken a sabbatical leave in the previous seven years. Requests for sabbatical by Faculty Employed by UMMHC or a University-Approved External Foundation or Agency are subject to approval by UMMHC or the external foundation or agency.

Faculty with part time service are eligible for a sabbatical as follows:

- i. Full time Faculty previously on part-time appointments are given prorated credit for part time service (e.g., eight years at 1/2 time plus two years at full-time equals six years) and will be eligible for a sabbatical based on their current full-time salary; or
- ii. Part-time Faculty will be eligible for a sabbatical based on part-time salary after six years of part time service.

- b. **Application**

- i. The Faculty Member submits a written application for a sabbatical to the chair, director of a Non-Department Unit, SOM Dean or GSN Dean (as applicable). The application must include the following:
 - a) A description of the activities proposed for the sabbatical;
 - b) An assessment of the importance of these activities to the Faculty Member's career goals and the potential benefits to the Department and the School; and
 - c) A description of any scholarships, fellowships, or grants and any other salaried employment or external compensation that the Faculty Member will receive during the sabbatical. Such compensated activities must not conflict with the Faculty Member's commitment to the activities proposed for the sabbatical.
- ii. A Faculty Member may request one of the following options for a sabbatical:
 - a) Full salary for 6 months (which includes 2 weeks of vacation);
 - b) Half salary for 12 months (which includes 4 weeks of vacation); or
 - c) Half salary for two non-consecutive 6-month periods (each including 2 weeks of vacation).

- c. **Review and Approval**

- i. The chair, GSN Dean or director reviews the application and, if they approve, submits their recommendation to the Provost or their designee for faculty affairs and, for UMMHC-Employed Faculty, to the CEO of UMMHC or their designee.

- ii. The Provost (and, as applicable, the President of UMMM), makes the decision to approve the sabbatical following considerations that may include, but are not limited to, the proposed activities, the recommendation of the director or dean, any compensation that the applicant will receive during the sabbatical, and the availability of funds to support the sabbatical.
- d. **Requirement for Return.** Recipients of a sabbatical must return to duty as a UMMS Faculty Member for at least one year of service immediately following the expiration of the leave. A Faculty Member may submit a written request to the Provost or their designee for faculty affairs to postpone the required return for a period no longer than the length of the sabbatical. This request must include the rationale for postponement and an acknowledgment by the Faculty Member that their obligation to return for a full year of service remains in effect. Failure to return obligates the Faculty Member to refund any salary received during sabbatical.
- e. **The Sabbatical Report.** Each recipient must submit, upon their return, a written report of their activities and the progress achieved on the goals of the sabbatical to the Provost's designee for faculty affairs and, as applicable, the chair, dean and director. This report must be evaluated in the Faculty Member's next APR.

Section 5.7 Voluntary Leave of Absence Without Pay

A UMMS-Employed Faculty Member may submit a written request to the chair, director of a Non-Department Unit, SOM Dean or GSN Dean (as applicable) for a leave of absence without pay for up to one year (after exhaustion of accrued vacation and sick hours). Such leaves may be for reasons of health (requiring appropriate medical, health-related documentation), for advanced study and research, or in connection with temporary employment or service which will be of value to the Faculty Member and to UMMS. The chair, director or dean reviews and may approve the request after consultation with the Provost or their designee. The Faculty Member may submit a written request to the chair, director or dean for extension of the leave for a second year. The chair, director or dean reviews the request and, if approved, makes a recommendation to the SOM Dean (if applicable) and Provost. Such requests are subject to approval by the SOM Dean (if applicable) and Provost.

Leaves of absence without pay for UMMHC-Employed Faculty or Faculty Employed by a University-Approved External Foundation or Agency are governed by their employment agreement and/or policies of their employer.

Section 5.8 Administrative Leave

A UMMS-Employed Faculty Member may be placed on an administrative leave of absence with pay by the chair, director of a Non-Department Unit, SOM Dean, or GSN Dean (as applicable), with approval by the SOM Dean (if applicable) and Provost. Such leaves may be for reasons that include, but are not limited to, investigations of the Faculty Member concerning alleged misconduct or if the Faculty Member may reasonably pose a threat to the campus community or patient safety, or for any other good faith reason in the sole discretion of UMMS. Such leaves are at the discretion of UMMS and may be terminated at any time by the chair, director or dean with approval by the SOM Dean (if applicable) and Provost.

ARTICLE 6. OTHER FACULTY APPOINTMENTS

This article defines the terms and conditions for appointment of individuals other than Employed Faculty (Article 5) to the UMMS Faculty.

Section 6.1 Appointment to the UMMS Faculty

Appointment to the UMMS Faculty is based on an individual's commitment of effort to the educational and/or research programs of UMMS, rather than on hospital rank, degree of responsibility, or seniority in other professional endeavors. Honorary appointments are not allowed.

- a. **Categories of Appointment.** Faculty Appointments may be granted to individuals in the following categories. All individuals are appointed in the Non-Tenure Track.
 - i. Professional Staff
 - ii. Affiliate Faculty
 - iii. Adjunct Faculty
 - iv. Visiting Faculty
- b. **Appointment and Employment.** This APP governs only the Faculty appointments of these individuals. Individuals with Faculty appointments must abide by all applicable UMMS and University of Massachusetts policies and procedures.

The employment terms and conditions for these individuals are governed by the policies of their employer, rather than any employment terms and conditions defined in this APP. Individuals employed by UMMS are subject to UMMS Human Resources policies, unless otherwise specified in their employment agreement.

- c. **Termination.** These Faculty appointments may be terminated at any time by the chair, SOM Dean, or GSN Dean (as applicable) on prior written notification to the individual at least 30 days in advance of termination of appointment. Further, if a Faculty Member subject to the provisions of this Article 6 resigns from or is removed from the Medical Staff of UMass Memorial Medical Center, the Faculty appointment of that individual automatically ends coterminously with the date of termination from the Medical Staff.
- d. **Resignation.** Individuals may resign these Faculty appointments on prior written notification to the chair or GSN Dean (as applicable) at the earliest possible opportunity, but at least 90 days prior to the effective date of resignation.

Section 6.2 Professional Staff

- a. **Eligibility.** Individuals who are employed by UMMS or UMMHC in a staff position may be appointed to the Faculty based on their expected contributions to UMMS educational and research programs. This category includes, but is not limited to, professional staff and administrators, medical, nursing or other health professionals, clinical fellows participating in non-ACGME approved fellowship programs, chief residents who have completed residency training, and retired UMMS Faculty who have been approved for post-retirement employment.
- b. **Appointment and Reappointment.** Individuals are appointed for a one-year term on recommendation by the chair or GSN Dean (as applicable) and approval through the procedures for appointment and promotion (Sections 3.12 and 3.13). Individuals may be appointed or promoted to the ranks of Instructor, Assistant Professor, Associate Professor, or Professor, according to the eligibility and criteria for these ranks (Sections 3.6–3.9). Such individuals may be reappointed annually on review and recommendation by the chair or GSN Dean and approval by

the SOM Dean (if applicable) and Provost or their designee. The Faculty appointment of an individual ends coterminously with termination of their employment by UMMS or UMMHC.

Section 6.3 Affiliate Faculty

- a. **Eligibility.** Individuals who are not employed by UMMS, UMMHC, or a University-approved external foundation or agency and who are not eligible for appointment as Adjunct (Section 6.4) or Visiting Faculty (Section 6.5) may be appointed as Affiliate Faculty based on their expected contributions to UMMS educational and research programs. This category includes, but is not limited to, Courtesy Staff appointed to UMMHC; individuals at UMMS regional campuses; members of the medical, nursing or other health professions at affiliated hospitals, other health care facilities or in private practice; individuals based at research institutions, and retired UMMS Faculty who are actively engaged in UMMS educational and research programs.
- b. **Appointment and Reappointment.** Individuals are appointed to a one-year term on recommendation by the chair or GSN Dean (as applicable) and approval through the procedures for appointment and promotion (Sections 3.12 and 3.13). Individuals may be appointed or promoted to the ranks of Instructor, Assistant Professor, Associate Professor, or Professor, according to the eligibility and criteria for these ranks (Sections 3.6–3.9). Individuals may be reappointed annually on review and recommendation by the chair or GSN Dean and approval by the SOM Dean (if applicable) and Provost or their designee.

The Faculty appointment of an Affiliate Faculty Member who is employed by an affiliated organization is contingent on continued employment of the individual by the affiliated organization and the affiliation agreement with that organization. In the event that either or both of these conditions are no longer in effect, the Faculty appointment will end coterminously without notice or appeal.

Section 6.4 Adjunct Faculty

- a. **Eligibility.** Individuals who hold a primary faculty appointment at another academic or research institution may be appointed as Adjunct Faculty based on their expected contributions to UMMS educational and research programs.
- b. **Appointment and Reappointment.** Individuals are appointed for a one year term on recommendation by the chair or GSN Dean (as applicable) and approval through the procedures for appointment and promotion (Sections 3.12 and 3.13) with the exception that the requirements for letters of evaluation are modified (Section 3.12.c.iv). Individuals are usually appointed at the Faculty rank (or equivalent) that the individual holds at their primary institution. The term “Adjunct” precedes the academic rank: e.g., Adjunct Professor of Department. Individuals may be reappointed annually on review and recommendation by the chair or GSN Dean and approval by the SOM Dean (if applicable) and Provost or their designee.

Section 6.5 Visiting Faculty

- a. **Eligibility.** Individuals who hold a primary faculty appointment at another academic or research institution and who intend to participate in UMMS educational and research programs for a limited time (usually up to one year) may be appointed as Visiting Faculty.
- b. **Appointment.** The procedure for appointment is described in Section 3.14. Visiting Faculty Members are usually appointed at the academic rank (or equivalent) that the individual holds at their primary institution. The term “Visiting” precedes the academic rank: e.g., Visiting Professor of Department.